

CHAPTER 17. ZONING.

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COUNTY OF ROCKINGHAM, VIRGINIA

(ORDINANCE REVIEW AND UPDATE – VERSION 2)

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17-100. Enactment of the Zoning Ordinance of Rockingham County, Virginia.

Pursuant to the authority delegated by the General Assembly in Chapter 22 of Title 15.2 of the Code of Virginia (1950), as amended, the Board of Supervisors of Rockingham County, Virginia, hereby repeals and re-enacts Chapter 17 of the Rockingham County Code. Chapter 17 shall be known as the Zoning Ordinance of Rockingham County. The authority, intent, objectives and purposes of the Board of Supervisors in so enacting the Zoning Ordinance shall be construed to be consistent with the authority, intent, objectives and purposes generally set forth in Chapter 22 of Title 15.2 of the Code of Virginia, and more specifically, with the authority, intent, objectives and purposes set forth in Sections 15.2-2200, 15.2-2280 and 15.2-2283, and having given due consideration to those matters specified in Section 15.2-2284 of the Code of Virginia, *mutatis mutandis*. Terms, words and phrases defined in Chapter 22 of Title 15.2 of the Code of Virginia shall have the same definition in this Chapter unless specifically defined otherwise, or necessarily defined otherwise by context. Throughout Chapter 17 the phrase “the Code of Virginia” refers to those acts of the General Assembly codified in the Code of Virginia (1950), as amended; the phrase “the County Code” refers to those ordinances enacted by the Board of Supervisors of Rockingham County codified in the Rockingham County Code; and the phrase “this chapter” refers to Chapter 17 of the County Code.

17-101. Applicability.

The provisions of this chapter shall apply to all property located within the limits of the County of Rockingham to the greatest extent permitted by applicable state and federal law.

17-102. Consistency with Comprehensive Plan.

With the adoption of this chapter, the Board of Supervisors has given all due consideration to the Comprehensive Plan and any area or corridor plan adopted by the county. However, the Comprehensive Plan is not incorporated by reference or otherwise into the Zoning Ordinance.

17-103. Incorporation of the Zoning Map.

That map entitled the "Zoning District Map for Rockingham County, Virginia," dated **Insert Date Here**, hereinafter referred to as the zoning map, with all notations, references and amendments attached thereto, and other information shown thereon, is a part of the Zoning Ordinance. The zoning map shall be made a public record and shall be kept permanently in the office of the Zoning Administrator, where it shall be accessible to the general public.

17-104. Division of Rockingham County into Districts.

Rockingham County is divided into zoning districts as named and described in Article 3, Conventional Districts, and Article 4, Planned Districts, of this chapter. The zoning districts are established and the boundaries are as shown on the zoning map which is maintained in the office of the Zoning Administrator.

17-105. Map Amendment.

If, in accordance with the provisions of this chapter, changes are made in the district boundaries or other information portrayed in the zoning map, such changes shall be entered on the zoning map within ten (10) days after the amendment has been approved by the Board of Supervisors, together with a numerical entry referring to the application for the amendment, submitted in accordance with Article 10, Procedures, which shall be kept as a public record by the Zoning Administrator. Each numerical entry shall state the reference number of the application in the records of the Zoning Administrator and the date of the approval of the amendment by the Board of Supervisors. The zoning map, which shall be located in the office of the Zoning Administrator, shall be the final authority in determining the current zoning status of land and water areas, buildings, and other structures in the county. No changes of any nature shall be made to the zoning map except in accordance with the procedures set forth herein.

17-106. Uses.

17-106.01. Applicability.

Pursuant to Section 15.2-2280 of the Code of Virginia, this chapter regulates the use of land and structures for all categories of land use as established herein. No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, constructed, moved, or structurally altered except in conformity with the regulations herein specified for the district in which it is or is to be located.

17-106.02. Permitted Uses, Special Uses, and Accessory Uses.

- A. A permitted use is a use permitted by right in the zoning district in which the land is situated.
- B. A special use is a use permitted only after a public hearing, review by the Board of Supervisors and its approval of a special use permit. A special use permit shall be issued by the Zoning Administrator that conforms to the special use approved by the Board of Supervisors.
- C. An accessory use is a use permitted only as accessory to a primary use that is permitted by right in the zoning district in which the land is situated.
- D. The permitted uses, special uses, and accessory uses are listed in Article 3, Conventional Districts, and Article 4, Planned Districts, for each zoning district.

17-106.03. Prohibited Uses.

Excluding reasonable and customary accessory uses associated with a primary use otherwise permitted, uses not specifically identified as permitted in a zoning district either by right or by special use shall be prohibited.

17-106.04. Interpretation of Identified Uses.

- A. In the case of multiple uses, the regulation for each use, as provided in this chapter shall apply to that portion of the building or land so utilized, unless otherwise provided.
- B. If a use is specifically identified in the zoning district, while a more general use category is also listed, the regulations and applicability of the specifically identified use shall govern.

17-107. Replacement Dwellings.

Replacement dwellings must conform to setback and height requirements. The dwelling being replaced must be removed from the lot within three (3) months of the issuance of a certificate of occupancy for the replacement dwelling.

17-108. Supplemental Standards.

In addition to the ordinances for specific zoning districts set forth in Article 3, Conventional Districts, and Article 4, Planned Districts, of this chapter, supplemental standards applicable to particular uses or building types, within one (1) or more districts, are set forth in Article 6, Supplemental Standards.

17.109. Development Standards.

In addition to the ordinances for specific zoning districts set forth in Article 3, Conventional Districts, and Article 4, Planned Districts, of this chapter, development standards applicable to all zoning districts, unless otherwise provided, are set forth in Article 7, Development Standards.

17-110. Area, Setback, and Height Standards.

In addition to the ordinances for specific zoning districts set forth in Article 3, Conventional Districts, and Article 4, Planned Districts, of this chapter, area, setback, and height standards applicable to all uses and structures on lots or parcels within the County, are set forth in Article 8, Area, Setback, and Height Standards.

17-111. Chapter Compliance by All Departments Required.

- A. All departments, officials, and public employees of the County who are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter. They shall issue permits for uses, buildings, or purposes only when they are in harmony with the provisions of this chapter.
- B. The Zoning Administrator may require the submission and approval of a plan of development prior to the issuance of building and land disturbing permits to assure compliance with regulations contained in this chapter.

17-112. Coordination with Other Regulations.

The use of buildings and land within the County is subject to all other regulations as well as this chapter, whether or not such other provisions are specifically referenced in this chapter. References to other regulations or provisions of this chapter or other chapters of the County Code are for the convenience of the reader. Lack of a cross reference shall not be construed as an indication that other regulations do not apply.

17-113. Rules of Interpretation and Construction.

- A. General construction of language.
 - 1. Except as otherwise provided in this chapter and accompanying appendix, all words shall have their customary dictionary meaning, within such context as they are used.
 - 2. The headlines of the articles, divisions, and sections of this chapter are for the convenience of the reader and are not to be construed as part of the content of the ordinance.
 - 3. The neuter gender includes the feminine and masculine genders.
 - 4. The word "shall" is mandatory. The word "may" is permissive.
 - 5. The word "includes" or "including" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- B. All distances specified in this chapter for the purpose of separating uses shall be measured in a horizontal plane from the closest property line of one (1) use to the closest property line of the other use, and for the purpose of separating structures shall be measured in a horizontal plane from the closest point of one (1) structure to the closest point of the other

structure. Specified distances for a use or structure on property abutting a district that is zoned differently shall be measured in a horizontal plane from the use or structure to the nearest point of the boundary line of the district that is not zoned the same.

- C. Unless district boundary lines are fixed by dimensions, and where uncertainty exists as to the boundaries of any of the zoning districts as shown on the Official Zoning Map, the following rules shall apply:
1. Unless otherwise indicated, district boundaries indicated as approximately following platted property lines, the centerlines of streams, streets, roads, highways, alleys or railroads, or the shorelines of reservoirs or other bodies of water, or civil boundaries, shall be construed to follow such lines.
 2. District boundaries indicated as approximately parallel to the centerlines of streams, roads, streets, highways, or railroads, or rights-of-way of the same, or the shorelines of reservoirs or other bodies of water, or said lines extended, shall be construed as being parallel thereto and at such distance therefrom as indicated on the official zoning map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the official zoning map.
 3. Whenever any public road, street, or alley is officially vacated or abandoned, the zoning district applicable to the property to which it is reverted shall apply to such vacated or abandoned road, street, or alley.
 4. Where a district boundary is indicated to follow or parallel a river, creek, or branch, or other body of water, such boundary shall be construed as moving with the actual shoreline with its reestablished center or channel.
 5. If not otherwise specifically designated, all water areas, waterways, alleys, roads, streets, highways, railroads, and other rights-of-way, shall be deemed to be in the same zoning district as that of the immediately abutting property. Where the centerline of such described water areas, waterways, or rights-of-way serves as a zoning district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such centerline.
 6. Where a lot in single ownership is divided by one (1) or more district boundary lines, each portion of the lot shall be subject to all the regulations applicable to the district in which it is located.
 7. In case the exact location of a boundary cannot be otherwise determined by the foregoing methods, the Board of Zoning Appeals, upon application, shall establish the location of the boundary in accordance with this chapter.

17-114. Permits and Certificates.

No construction may commence, no use may be established or changed, and no structure shall be constructed, erected, altered, moved, or demolished unless and until all permits required by the County Code have been issued.

17-115. Severability.

Should any section or any provision of this chapter be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the chapter as a whole, or any part thereof other than the part so held to be unconstitutional or invalid, and such remainder of this chapter shall continue in full force and effect.

17-116. Vested Rights.

Nothing in this chapter shall be construed to authorize the impairment of any vested right. Without limiting the time when rights might otherwise vest, a property owner's rights shall be deemed vested in a land use and such vesting shall not be affected by a subsequent amendment to this chapter as set forth in Chapter 22 of Title 15.2 of the Code of Virginia.

17-117. Permits Issued Prior to Adoption of Chapter.

Nothing contained herein shall require any change in the plans or construction of any building or structure for which a permit was granted prior to the effective date of the re-enactment of this chapter. However, if such construction does not commence within six (6) months after this re-enactment becomes effective, or if construction is discontinued for a period of six (6) months or more, further construction shall be in conformity with the provision of this chapter for the district in which the operation is located.

CHAPTER 17. ZONING.

ARTICLE 2. DEFINITION OF TERMS.

Abandonment (for purposes of wireless telecommunication facilities). The condition in which an antenna support structure ceases to be utilized for providing wireless service for a period of six (6) months.

Above ground level (AGL). (for purposes of wireless telecommunication facilities)- When referring to a support structure, the distance measured from ground level at the base of the structure to an object or point on the structure such as an antenna, lightning rod or the top of the structure.

Accessory structure. A subordinate structure incidental to and located upon the same lot occupied by the primary structure or use, which has no greater footprint area than the primary structure. This includes prefabricated buildings, whether located on permanent foundations or not.

Acreage. A parcel of land, regardless of area, described by metes and bounds which is not a numbered lot on any recorded subdivision plat.

Adapted support structure. (for purposes of wireless telecommunication facilities)- Any structure designed primarily for other purposes that can be utilized to support antennas including but not limited to buildings, power towers, church steeples, light poles, water storage tanks, smoke stacks, and silos.

Adjacent. Nearby, but not necessarily touching.

Adjoining. Touching; abutting; contiguous.

Administrator, Zoning: see "Zoning Administrator."

Agriculture. Land used exclusively for purposes including aquaculture, horticulture, floriculture, viticulture, viniculture, silviculture, livestock and poultry husbandry, and other farming, with necessary accessory uses such as packing, treating, or storing the produce, provided that the operation of the accessory use is clearly incidental to the agricultural activity.

Agricultural facility, intensive. A lot or facility for the raising of livestock, not including poultry, where both of the following conditions are met:

1. Animals have been, are, or will be stabled or confined and fed or maintained for any portion of a day for a total of 45 days or more in any 12-month period; and
2. Crops, vegetation, forage growth or post-harvest residues are not sufficiently sustained in the normal growing season over a significant portion of the operation.

Agricultural products. Any aquaculture, horticulture, floriculture, viticulture, viniculture, silviculture, livestock, poultry, or other farm crops.

Agricultural research facility. A facility which conducts basic, applied, and developmental research of regional, national, or international concerns in the fields of livestock; plants; soil, water, and air quality; energy; food safety quality; nutrition; food processing, storage and distribution efficiency; nonfood agricultural products; and international development.

Agriculturally related products. Products that support agriculture or an agricultural activity. Examples of such products are hand tools, spreaders, and tractors.

Agritourism activity. Any activity carried out on a farm that allows members of the general public, regardless of fee charged, for recreational, entertainment, or educational purposes, to view or enjoy farming or farm wineries; historical, cultural, or harvest-your-own activities; value-added agricultural activity; or natural activities and attractions.

Airport elevation. The highest point on any usable landing surface expressed in feet above mean sea level.

Alley. A permanent serviceway providing a secondary means of access to adjoining properties. In the case of accessory dwellings, the alley may serve as the only access to the accessory dwellings.

Alteration. Any change in the total floor area or use of an existing structure.

Amenity. An indoor recreational area principally for, and accessible to, persons residing or working within a development project. See "common area."

Amphitheater. An oval or round structure having tiers of seats rising gradually outward from a central open space or arena.

Animal shelter. A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, or nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

Animal, domestic. Animals as defined in animal husbandry, but kept only for personal use or casual sales, and are limited to one (1) animal unit per acre, not to exceed four (4) animal units.

Animal unit. For the purpose of this chapter, one (1) animal unit consists of domestic or domesticated: one (1) adult bovine animal (cattle, buffalo, etc.), two (2) juvenile bovine animals less than one (1) year old, two (2) camelid animals (llamas, alpacas, etc.), one (1) equine animal (horse, donkey, etc.), five (5) ovine animals (sheep, etc.), five (5) capridae animals (goats, etc.), two (2) porcine animals (pigs, etc.), fifty (50) small poultry (chickens, ducks, etc.), ten (10) medium poultry (turkeys, geese, etc.), or three (3) large poultry (ostriches, emus, etc.).

Animal hospital. A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.

Animal husbandry. The production of livestock or poultry. This may include animals in dairy operations but does not include animals in commercial stables, poultry facilities, animal hospitals, animal shelters, dog kennels, fur farms, livestock sales pavilions, hog operations, or game farms.

Antenna. (for purpose of wireless telecommunications facilities)- Any exterior electronic device used for the transmission or reception of radio frequency signals designed for telephonic, radio, satellite or television communication.

Antenna support structure. (for purpose of wireless telecommunications facilities)- Any structure designed primarily for the purpose of supporting one or more antennas including, but not limited to self-supporting lattice towers, guyed towers, and monopoles.

Antique shop. A place offering antiques for sale.

Antique. A work of art, piece of furniture, decorative object, or the like, of or belonging to the past, at least 30 years old.

Apartment building. A building or structure arranged, intended, and designed to be occupied by 3 or more families living independently of each other, and each with private kitchen and bathroom accommodations.

Applicant.(for purpose of wireless telecommunications facilities). Any entity requesting approval to construct a telecommunication facility through the county's permitting process.

Approach, transitional, horizontal, and conical zones. The airspace zones as set forth in of this chapter.

Approach surface. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface, and at the same slope as the approach zone height limitation slope set forth in this chapter. The perimeter of the approach surface coincides with the perimeter of the approach zone.

Aquaculture. The cultivation of water plants, fish, and other marine life for human use or consumption.

Arbitrary. Fixed or arrived at through an exercise of will or by caprice, without consideration or adjustment with reference to principles, circumstances, or significance, or given to making decision thus; decisive but unreasoned.

Area. Synonymous with the word "tract," which is a piece of land capable of being described with such definitiveness that its location may be established and boundaries definitely ascertained.

Art gallery. An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This clarification does not include libraries, museums, or non-commercial art galleries.

Assembly hall. A building or portion of a building in which facilities are provided for civic, educational, political, religious, or social purposes.

Assisted living facility. . See “Group Home.”

Auction facility. A building, area, including an outdoor area, used for the public sale of goods, wares, merchandise, or equipment to the highest bidder.

Automated teller machine (ATM). A pedestrian-oriented machine used by bank and financial service patrons for conducting transactions including deposits, withdrawals, and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with these regulations. ATMs for use by patrons in vehicles are included under the definition of a drive-in and drive-through service.

Automobile graveyard. Any lot or area which is exposed to the weather upon which more than three (3) junked or inoperable motor vehicles of any kind are located. May include sale of parts removed from the vehicles stored within the auto graveyard.

Automobile parts sales. The display and sale of new, reconditioned, or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles, but not including an automobile graveyard.

Automobile repair shop. A facility for the general repair, rebuilding or reconditioning of engines, motor vehicles and trailers with a weight less than 18,000 pounds, or providing collision services, including body, frame, or fender repair, and overall painting.

Automobile tow service. Establishment that provides for the removal of vehicles and temporary storage of operable vehicles but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles or impounded vehicles.

Balloon test. A technique utilizing a balloon to demonstrate the height of a proposed antenna support structure or proposed wind energy structure.

Banks and other financial services. A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities. This definition includes automated teller machines (ATM).

Banner. A temporary sign of lightweight fabric or similar material that is mounted to a pole or a building and used to announce or to advertise special events.

Banquet facility. An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to banquets, weddings, anniversaries, and other such similar celebrations.

Base flood. A flood having a one-percent chance of being equaled or exceeded in any given year.

Base flood elevation. The Federal Emergency Management Agency designated one hundred-year water surface elevation.

Base zoning district. Any district delineated on the official zoning map and as described in Article 3 of this Chapter.

Basement. A story of a building having part but not more than one-half of its height below grade. A basement shall be counted as a story for the purpose of height regulations, if it is used for business purposes or for dwelling purposes.

Basement. (for flood plain purposes), any area of the building having its floor sub-grade (below ground level) on all sides.

Batching plant for asphalt, concrete. Manufacturing facilities for the sorting, grading, and storage of aggregates as construction materials; includes concrete batch plants molding operation.

Beauty or barber shop. Business establishment for the cutting and dressing of hair, shaving and trimming beards, and performing related services.

Bed and breakfast inn. Generally small, owner-operated businesses providing the primary financial support of the owner. Usually the owner lives on premises. The building's primary usage is for business. Inns advertise, appropriate taxes, and posts signs. Breakfast is the only meal served and only to overnight guests. The inn may host events such as weddings, and small business meetings. This definition does not include rooming house or country inn.

Biomass conversion facility. A facility in which agricultural-related materials including vineyard, grain or crop residues, animal wastes, straws, aquatic plants, and crops and trees planted for energy production is converted into heat, power, or biofuels.

Block. The lot or lots fronting on the same side of the same street between two (2) streets intersecting such street on such side with no other intersecting street intervening.

Board of Zoning Appeals (BZA). The Board of Zoning Appeals as established under this chapter.

Board of Supervisors (BOS). The governing body of Rockingham County, Virginia.

Bowling alley. Indoor facility for the sport of ten-pin or duck-pin bowling, with customary accessory uses such as snack bars.

Brewery, distillery, winery, or associated activities. An industrial facility for the production and packaging of ales, beers, wines, meads, spirits or similar beverages for wholesale distribution, subject to regulation by the Virginia Alcoholic Beverage Control Board. Breweries are classified as a use that manufactures more than 10,000 barrels of beverage annually. Uses that are clearly incidental to the production of spirits are allowed accessory to a distillery.

Buffer. An area of land, including landscaping, berms, walls, and fences designed to separate, in a continuous manner, one use from another.

Building. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or personal property.

Building Code. The Virginia Uniform Statewide Building Code as adopted by the board of supervisors and as amended.

Building contractor's operation. See "Contractor's operation, building."

Building footprint. The outline of the total area covered by a building's perimeter at the ground level.

Building height. The vertical distance from the lowest point of the building, structure, or wall exposed above the ground surface to the highest point of the roof.

Building mass. Building mass is the overall footprint, height, and bulk of a structure.

Building Official. The person or designee responsible for administering and enforcing the provisions of the building code.

Building, primary. For setback purposes, any building exceeding five hundred eighty (580) square feet in total floor area based on exterior dimensions, or any structure used as a residence shall be deemed to be the primary building of the lot on which the same is situated.

Bus or rail terminal. See "Terminal, bus or rail."

Cab service. A business as proprietor of one (1) or more taxicabs, limousines, and vans.

Camper trailer. Vehicular unit mounted on wheels and towed by another vehicle to provide temporary living quarters for recreational camping or travel and shall not be used for permanent living quarters. Includes camper mounted on the bed of a pick-up truck.

Campground. An open area with two or more camping sites, accessible by vehicular traffic, including recreational vehicles. Public use facilities, including roads, restrooms and service buildings may be required. These sites may have individual water, sewer, and electrical connections. An inherent element of a campground is temporary occupancy.

Car wash. A site used for washing and cleaning passenger vehicles, recreational vehicles, or other light duty equipment.

Caregiver. For purposes related to a temporary family health care structure, a caregiver means an adult who provides care for a mentally or physically impaired person within Rockingham County. A caregiver shall be either related by blood, marriage, or adoption

to, or the legally appointed guardian of the mentally or physically impaired person for whom he is caring.

Carport. Space for the housing or storage of motor vehicles and enclosed on not more than two (2) sides by walls and is accessory to and not larger than the primary structure.

Catering facility. An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption.

Cellar. A story having more than one-half of its height below grade.

Cemetery. Land used for the burial of the dead, and dedicated for interment purposes, including columbaria and mausoleums.

Central energy plant. A facility which houses the necessary equipment for the production and distribution of utilities, such as hot water, electricity, and steam within a development project.

Child day program. See "Day program, child."

Church or other place of worship. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to conduct public worship.

Cider mill. The extraction of juice from fruit, the processing of the juice into fruit cider and the bottling of the fruit cider, but not including distilling.

Cineplex. A structure with multiple movie theaters in which a theater is capable of showing movies independent of the others. Theaters are grouped in a manner that allows them to share ticket offices, restrooms, concession stands, marquee displays, and other service and maintenance facilities. May include performing arts.

Clerk. The Clerk of the Circuit Court of Rockingham County, Virginia.

College, university. A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields.

Collocation. (for purpose of wireless telecommunications facilities)- The shared use of an antenna support structure by two (2) or more wireless service providers or other entities that operate antennas.

Commercial and industrial machinery and equipment center. See Machinery and equipment center, commercial and industrial.

Commission. The Planning Commission of Rockingham County, Virginia.

Common area. A tract or parcel of land owned in common by the property owners, intended for use by all residents, customers, or employees within the development, and used collectively for passive or active recreation. Common area includes recreational open space and amenities as defined herein.

Community center. A place, structure, area, or other facility used for and providing religious, fraternal, social, educational, or recreational programs designed to accommodate and serve the community.

Community Development Director. See “Director of Community Development.”

Community garden (plant-a-garden). (1) land from which smaller plots are leased to individuals for garden space, or (2) land leased and gardened collectively by a group of individuals.

Community property. Community property consists of common area and non-recreational open space within a development project.

Community-supported agriculture (CSA). A CSA is a community of individuals who pledge support to a farm operation so that the farmland becomes the community's farm, with the growers and consumers providing mutual support and sharing the risks and benefits of food production.

Company store. A use accessory to a business or industry that offers for sale items produced by the company.

Comprehensive plan. Rockingham County Comprehensive Plan as adopted and as amended.

Conference center. A building or group of buildings, comprised of an auditorium, meeting rooms, exhibition space, and banquet facilities, used for conferences and seminars.

Confined feedlot operation. A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure.

Conical surface. A surface, whose design standards are referenced in this chapter, extending and sloping horizontally and vertically from the periphery of the horizontal surface.

Connectivity ratio. The ratio of street segments to street intersections in a given subdivision or development project, where a street segment is defined as a segment of roadway connecting two intersections, and a street intersection is defined as the intersecting point of two or more street segments or an end point such as a cul-de-sac.

Contractor's operation. An operation for contractor(s) licensed by the Commonwealth of Virginia, which may include offices, outdoor operations, and outdoor storage of the operation's vehicles, equipment, and/or materials. Such operation may also include the indoor or outdoor repair and maintenance of the its vehicles and equipment.

Construction-related building or trailer, temporary. A building or trailer used for storage and/or offices and incidental to construction work, which is removed upon completion or abandonment of the construction work.

Convenience store. A retail establishment that sells automotive fuel and convenience goods, such as food items, tobacco, periodicals, and household goods.

Correctional facility. Publicly or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

Country inn. An establishment where lodging or lodging with meals is provided for a fee, usually by the day or week, excluding hotels and motels.

County Administrator- The chief administrative official of Rockingham County who is appointed by and serves at the pleasure of the Board of Supervisors.

Cul-de-sac. The turn-around at the end of a dead-end street having an appropriate width for a safe and convenient reverse traffic movement.

Dairy facility, intensive. See "Agricultural facility, intensive."

Day program, child. A regularly operating service arrangement for children where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of thirteen (13) for less than a twenty-four (24)-hour period.

Daycare home or center, Adult. Any facility licensed by the Commonwealth of Virginia that provides supplementary care and protection during only part of the day to four (4) or more aged, infirm or disabled adults who reside elsewhere.

Daycare home, child. A child day program licensed by the Commonwealth of Virginia offered in the residence of the provider or the home of any of the children in care for six (6) through twelve(12) children under the age of thirteen (13), exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.

Daycare center, child. A child day program licensed by the Commonwealth of Virginia offered to (i) two (2) or more children under the age of thirteen (13) in a facility that is not the residence of the provider or of any children in care or (ii) thirteen (13) or more children at any location.

Development. Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, the placement of manufactured homes,

streets, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Development project. The development project may contain one or more lots or parcels of land to be developed or redeveloped as a coordinated site for a use or complex of uses, units, or structures, which may be constructed in one or more phases, and includes all undevelopable areas within the project.

Director of Community Development. The official or designee of Rockingham County charged with directing community development activities.

Director of Planning. The official or designee of Rockingham County charged with directing planning activities.

Director of Public Works. The official or designee of Rockingham County charged with directing public works activities.

Distribution center. A warehouse providing logistics services, related to the distribution of goods, which may include labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement. However, these establishments shall always provide warehousing or storage services in addition to any logistic services.

Dormitory for allied healthcare students. A building in which all or part of the square footage consists of more than three rooming units, with or without individual cooking facilities, used to house students enrolled in a medical program located on the same campus.

Drive-in facility. See "Drive-through facility."

Drive-through facility. Any portion of a building or structure from which customers can receive a service or obtain a product while in their motor vehicle. Regulated as a subordinate use to a principal use, regardless of the nature of the principal use.

Dwelling, accessory. A complete, detached dwelling unit located on the same parcel as a primary single family detached dwelling. An accessory dwelling may be located within a detached private garage.

Dwelling, apartment. One or more rooms with a private bath and kitchen facilities comprising an independent self-contained dwelling unit not owned in fee simple.

Dwelling, condominium. A dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, and which is subject to the provisions of state laws.

Dwelling, duplex. Duplex dwelling units are constructed as two side-by-side units or upper and lower units, each with separate access to the outside. Each dwelling unit shall be occupied by one family.

Dwelling, farm-worker. A dwelling unit designed for and occupied exclusively by a person and/or his family solely or mainly working for the farming operation, which may include a farm worker who has retired from the farm on which the farm-worker dwelling is located, the widow or widower of such a person, and any resident dependents. This dwelling may include a manufactured home.

Dwelling, in-house security service. A dwelling unit on the site of an industrial use used solely for housing an employee who provides 24-hour on-site security. The dwelling may be located within an industrial structure or it may be a stand-alone dwelling.

Dwelling, live-work. An attached dwelling unit in which the ground floor space is allowed to be used for residential, retail, service, or office uses.

Dwelling, manufactured home. (1) A structure subject to the U.S. Department of Housing and Urban Development (HUD) regulation, which is transportable in one (1) or more sections; is eight (8) body feet or more in width, and forty (40) body feet or more in length in the traveling mode, or is three hundred twenty (320) or more square feet when erected on site, is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure. This definition shall exclude on-frame modular dwellings, industrialized buildings, mobile units, mobile offices, mobile classrooms, recreational vehicles, and camping trailers. (2) (For the purpose of floodplain regulations), a structure, transportable in one or more sections, which is eight (8) body feet or more in width and is thirty-two (32) body feet or more in length, and which is built on a permanent chassis, and designed to be used with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems contained therein. For the purposes of this division, the term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on site for more than one hundred eighty (180) consecutive days.

Dwelling, rowhouse. A unit with separate ownership, separated from adjoining units by a vertical wall with no openings, providing a dwelling for a single-family, in which separate access to the outside is provided. Ownership includes at least the land under the unit.

Dwelling, short-term rental. The rental of a single-family detached, duplex, or individual multi-family dwelling unit by one or more persons or groups of occupants for lodging for any period less than thirty (30) days.

Dwelling, single-family detached. A dwelling unit designed for and occupied exclusively by one (1) family, including a modular dwelling on a permanent foundation, but not including a manufactured home. Permanent foundation is defined herein.

Dwelling, single-family with independent living quarters. A separate living unit located within a single-family detached dwelling and having direct interior access to the primary living unit.

Dwelling, time-share unit, lockout. A time-share unit internally separated by a securable doorway and therefore capable of being occupied as two (2) separate dwelling units, yet having unified ownership of title, such ownership transferrable only as a single time-share unit by a deed or similar instrument recorded with the land records and classified as a single dwelling unit for density calculations.

Dwelling unit. A unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Easement. A grant by a property owner of the use of land for a specific purpose or purposes by the general public, a corporation, or a certain person or persons.

Electrical engineer. An individual or firm licensed to practice electrical engineering by the Commonwealth of Virginia.

Electrical substation distribution centers and transformer stations. A premises which may or may not contain buildings, where the interconnection and usual transformation of electrical service takes place between systems. An electrical substation shall be secondary, supplementary, subordinate, and auxiliary to the main system.

Electronic data storage or processing center. Facilities where electronic data is processed, including, data entry, storage, conversion or analysis, subscription and credit card transaction processing, telephone sales and order collection, mail order and catalog sales, and mailing list preparation.

Elevated building. A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

Emergency and protective facility. A permanent facility, other than a community living arrangement, managed by a public or nonprofit agency that provides temporary housing and protective sanctuary for victims of fire, natural disaster, economic hardship, crime, abuse, or neglect. Such facility may contain individual sleeping rooms and may or may not have food preparation facilities and private shower or bath facilities. A facility may also include a food bank.

Encroachment. (for purpose of floodplain regulations). The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Entity. Any natural person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.

Equestrian facility. Commercial horse, donkey, and mule facilities including: horse ranches, boarding stables, riding schools and academies, horse exhibition facilities, pack stations. The facility may include the sale of tack and related accessories items.

Structures may include barns, stables, corrals, and paddocks accessory and incidental to the above uses.

Equipment storage. The storage of equipment in usable condition. This definition shall not include mini-storage or equipment sales lot.

Event center. A building, which may include on-site kitchen/catering facilities, where indoor and outdoor activities such as weddings, receptions, banquets, and other such gatherings are held by appointment.

Existing facility. (for purpose of wireless telecommunications facilities)- a telecommunications facility that exists, is under construction, or for which a special use permit has been issued.

Fairgrounds. An area of land use including but not limited to: agricultural related office buildings, animal shows and judging, carnivals, circuses, community meeting or recreational buildings and uses, concerts, food booths and stands, games, rides, rodeos, sales and auctions, storage, theaters. Such county fairs, exhibitions, and shows do not include racetracks.

Fall zone (for purpose of wireless telecommunications facilities and wind energy conversion systems). An area within a radius equal to the height of the antenna support structure or wind energy structure within which there is a potential hazard from falling debris or collapsing material. A fall zone is distinct from a setback.

Family. A single housekeeping unit comprised of one of the following: (i) one (1) person living alone; (ii) two (2) or more persons related by blood, marriage, or adoption; (iii) as many as four (4) unrelated individuals; (iv) as many as five (5) unrelated students who are enrolled at a university or other post-secondary institution of learning; or (v) as defined by the Code of Virginia §15.2-2291, eight or fewer individuals residing together as a family unit in a residential facility, as defined below, with a resident counselor or other staff persons.

Family, immediate. For the purpose of this chapter, an immediate family member shall be any person who is a natural or legally defined offspring, stepchild, spouse, parent, grandparent, child, grandchild, or sibling.

Farm. One or more areas of land, totaling at least six acres and enrolled in land use valuation, used for the production, cultivation, growing, harvesting, or processing of agricultural products.

Farm, harvest-your-own. A type of direct marketing system where consumers harvest fruits and vegetables from the farm fields or gardens themselves.

Farm building. A building or structure located on a farm utilized for either the storage, handling, or production of aquacultural, horticultural, floricultural, viticultural, vinicultural, silvicultural, or other agricultural products, the sheltering or raising of farm animals, or the maintenance and storage of farm equipment used on the farm served by the farm building.

Farm equipment repair shop. Establishments repairing agricultural machinery and equipment.

Farm First Enterprise Program (FFEP). The means for existing farming operations to utilize existing farm buildings for seasonal, secondary income-producing activities with minimal regulations while ensuring public safety and protecting the rights of surrounding property owners.

Farm First Enterprise Program (FFEP) activity. An activity conducted on a farm and offered to the public or to invited groups for the purpose of education, recreation, sale of products and goods, or active involvement in the farm operation. These activities shall be an accessory to the primary agricultural operation on the site. Activities include "Secondary Income Generators" as defined and allowed in this chapter. This term shall include, but not be limited to, farm tours, hayrides, seasonal petting farms, farm museums, and educational experiences related to agricultural products or skills, or the sale of products and goods. Picnics or party facilities may be offered in conjunction with said uses.

Farm First Enterprise Program permit- A document, issued by Rockingham County that allows a Farm First Enterprise Program (FFEP) Activity to be conducted.

Farm First Enterprise Program structure. A structure that houses or is an accessory to a Farm First Enterprise Program (FFEP) Activity. Only buildings existing at least 36 months prior to FFEP application, as evidenced by County records, qualify for Farm First Enterprise Program inclusion. One structure, regardless of age, less than 200 square feet in floor area is exempt from the 36-month requirement.

Farm First Enterprise Program (FFEP) operator. Any person engaged in the business of providing one or more FFEP activities, whether or not for compensation.

Farm machinery and equipment center. See "Machinery and equipment center, farm."

Farm market. An occasional or periodic market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and craft items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.

Farm winery. A winery as defined by the state alcoholic beverage control board where upon at least fifty-one (51) percent of the fresh fruits or agricultural products used by the owner to manufacture the wine shall be grown or produced on the farm. If in the event of drought, natural disaster, disease or other cause beyond the control of the owner there are not sufficient grapes grown on the premises to allow the owner to meet normal annual production the owner may petition in writing for a one-year waiver of the fifty-one (51) percent rule. For the rule to be waived approval must be given by both the state alcoholic beverage control board and the zoning administrator and the owner shall be notified in writing by the zoning administrator of such waiver. The fifty-one (51) percent rule shall not be waived for more than three consecutive years.

Federal Aviation Administration (FAA). An agency of the federal government which regulates all activities affecting air navigation.

Federal Communications Commission FCC). An agency of the federal government that regulates all intrastate, interstate, and international communications via wire, wireless, satellite, and cable.

Fee simple. Absolute ownership of real property with unrestricted rights of disposition.

Feed mill. A facility where animal feed is produced which may include wholesale and/ or retail.

Fitness center. An establishment where passive or active exercises and related activities are performed for the purpose of physical fitness, improved circulation or flexibility, and/ or weight control. The activities shall be conducted entirely within an enclosed building.

Flea market. A structure or land, excluding community centers and publicly owned property, used at least three (3) times per twelve (12)-month period for the purpose of sale of any of the following items or similar items: clothing, housewares, appliances, novelties, antiques, farm implements, and furniture.

Flood or flooding . (1) A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulation or runoff of surface waters from any source or (2) the collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as a flash flood or by some similarly unusual and unforeseeable event which results in flooding as defined in (1) of this definition.

Flood, 100-year . A flood that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a one-percent chance of occurring each year, although the flood may occur in any year).

Floodprone area. Any land area susceptible to being inundated by water from any source.

Floodplain. An area, usually a relatively flat or lowland area adjoining a river, stream, or watercourse, which can be expected to flood an average of once in one hundred (100) years, or which would have a one (1) percent chance of flooding in any given year. (Also referred to as a 100-year floodplain)

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Floor area. The sum of the gross horizontal areas of the total number of floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings, but not including any attic space providing headroom of less than seven (7) feet, unusable basement or cellar space not used for retailing, uncovered steps or fire escapes, open porches, accessory water or cooling towers, accessory, off-street parking spaces, and accessory off-street loading spaces.

Floriculture. The use of land for the growing or production for income of flowering and ornamental plants and trees.

Foundation, permanent. Any footer with a wall that shall meet all the requirements of the Uniform Statewide Building Code.

Freeboard. A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of the urbanization in the watershed.

Frontage. That line of a lot which adjoins a street or right-of-way unless the primary building location dictates otherwise.

Fuel products, bulk storage, and sales. The storage of fuel products for resale to distributors or retail dealers or outlets. Includes bulk storage of propane and natural gas.

Funeral home and crematory. A building used for the preparation of the deceased for burial or cremation and display of the deceased and rituals connected therewith before burial. A funeral home, as defined for purposes of this code, includes a funeral chapel.

General development plan. A plan describing the proposed development project, which, when proffered by the applicant of a rezoning request, becomes part of the zoning for the property, if the rezoning request is approved by the Board of Supervisors.

General service business. Any business wherein the primary activity is the provision of assistance, as opposed to products, to individuals, businesses, industry, government, and other enterprises.

Golf course. A tract of land with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a pro shop, restaurants, restrooms, and driving range and practice facilities without lighting and shelters as accessory uses.

Golf driving range. A limited area on which golf players drive golf balls from a central driving tee, such area to include the driving tee and other incidental activities pertaining to this activity.

Government forests and parks. Forests and parks managed by the local, state, or federal government and open to the public.

Governmental services. A government service facility providing direct services to the public wherein large aggregations of people are probable, especially those such as employment offices, public assistance offices, motor vehicle registration and licensing services, and similar activities commonly accustomed to having people waiting on service, whether pedestrian or vehicular.

Graveyard, automobile See “Automobile graveyard.”

Green. A compact and distinct area of usable open space, consisting of grassy areas and trees, spatially defined by adjacent features such as building facades and/or vegetation. Improvements to the green may consist of paths, benches, landscaping, and other improvements.

Greenhouse. A building or structure constructed chiefly of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers and other tender plants. Private greenhouses shall exclude the on-site selling of any products.

Group home- More than eight individuals residing together as a family unit in a residential facility, as defined below, with one or more resident counselors or other staff persons.

Gun shop, repair and sales. Any premises or portion thereof used for the sale, vending, dealing, exchange, transfer, or repair of guns, ammunition, and hunting equipment.

Halfway house. A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

Harvest-your-own farm See “Farm, harvest-your-own.”

Hazard to air navigation. An obstruction determined by the Virginia Department of Aviation or the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of navigable airspace in the Commonwealth.

Health Department. The Rockingham County Health Department or its designated agent or representative.

Height: For the purpose of determining the height limits in all zoning districts set forth in this chapter and shown on the zoning map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.

Height, telecommunications facility. See “Telecommunication facility height.”

Height, building. See “Building height.”

Heliport, or flight strip. A place where one (1) aircraft may take off or land, discharge or receive cargo and/or passengers, be repaired, take on fuel, or be stored. May include flight instruction.

Heritage center. Buildings and land used to inform or educate the public about a heritage or culture pertinent to the county. May include eating facilities serving foods related to that heritage and culture.

Highway engineer. The resident engineer employed by the Virginia Department of Transportation.

Historic structure. Any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirement for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or (c) individually listed on the Virginia State inventory of historic places.

Hog operation. An enterprise in which hogs are kept and raised, regularly involving the use or presence of one (1) or both of the following: (a) two (2) or more acres of non-vegetative land (excluding land used for crops) and used for confined feeding, growing, raising, or birthing of hogs prior to slaughter; or (b) an enclosed confinement structure containing five hundred (500) or more square feet of floor space primarily for such enterprise.

Home business. A commercial use of a scale greater than home occupation but which is still secondary to the residential use, but not including agricultural or horticultural activities.

Home occupation. An occupation or activity which is clearly incidental and secondary to use of the premises as a dwelling and which is carried on wholly within a main building or accessory building by a member of the family who resides on the premises.

Horse stable, commercial. A building, group of buildings, or use of land, or any combination thereof, used for the sheltering, care, riding, or showing of horses. A horse stable does not include equestrian facility.

Horticulture. The use of land for the growing or production for income of fruits, vegetables, flowers, nursery stock, including ornamental plants and trees, and cultured sod.

Horizontal surface. A horizontal plane above the established Airport elevation, the perimeter of which coincides with the perimeter of the horizontal zone.

Hospice center. A licensed facility with provides palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual, and special needs of terminally ill patients and their families in an inpatient setting.

Hospital. An institution rendering medical, surgical, or other care, which is licensed as a hospital by the state hospital board.

Hotel or motel. A building or buildings in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a rooming house as herein defined. This definition includes convention and conference facilities as accessory to the hotel or motel.

Hybrid system (for the purposes of wind energy conversion systems). An energy system that uses more than one technology to produce energy or work, such as a wind-solar system.

Impound lot. A lot on which wrecked vehicles awaiting insurance settlement or vehicles impounded by law enforcement are kept for no more than 180 days. An impound lot is not an automobile graveyard.

Industrial and commercial machinery and equipment center- See Machinery and equipment center, commercial and industrial.

Industry, heavy. An enterprise engaged in the processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in the storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, light. An enterprise engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, and odor.

Inoperable vehicle. See "Vehicle, inoperable."

Junked vehicle. See "Vehicle, junked."

Jurisdictional Waterway. Non-navigable tributaries to traditional navigable waters, that contain water at least seasonally and the wetlands that directly abut them.

Kennel operation, commercial. A facility to house, board, breed, groom, handle, or otherwise keep or care for dogs for sale or housed in return for compensation.

Kennel operation, private. The keeping of more than ten (10) adult dogs for personal use and enjoyment. Adult dogs are dogs over four (4) months of age.

Laboratory, research. A facility for scientific laboratory research, investigation, testing, or experimentation, in technology-intensive fields, such as biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfer, and radiation research facilities. This term does not include the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Laboratory, support. A facility for scientific laboratory analysis of natural resources, medical resources, and manufactured materials.. The scientific analysis is generally performed for an outside customer, to support the work of that customer. This category includes environmental laboratories for the analysis of air, water, and soil; medical or veterinary laboratories for the analysis of blood, tissue, or other human medical or animal products; and forensic laboratories for analysis of evidence in support of law enforcement agencies.

Landscaping service. A business engaged in the decorative and functional alteration, planting, and maintenance of grounds at off-site locations

Laundry, commercial or industrial. A facility in which laundry services are provided to commercial and industrial customers, such as the laundering of uniforms or hotel sheets and towels.

Laundry, dry cleaning, Laundromat. A facility where patrons, wash, dry, or dry clean clothing or other fabrics in machines operated by the patron, or where customers drop off and pick up clothing or other fabrics which are laundered or dry cleaned by the establishment's employees.

Library. A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

Livestock sales facility. A commercial establishment wherein livestock is collected and sold.

Loading space. An unobstructed area not with the public right-of-way provided and maintained for the temporary parking of trucks and other motor vehicles for the purpose of loading and unloading goods, wares, materials, and merchandise.

Lot, corner. A lot abutting on two (2) or more streets at their intersection. Of the two (2) sides of a corner lot, the front shall be deemed to be the shorter of the two (2) sides fronting on streets unless the direction in which the primary building faces dictates otherwise.

Lot coverage. The portion of a site that is impervious (i.e. does not absorb water). This includes, but is not limited to, all areas covered by buildings, parking structures, including surface parking, driveways, roads, sidewalks, and any area of concrete or asphalt. For the purpose of calculating lot coverage, any outdoor display or storage is considered impervious.

Lot, depth of. The average horizontal distance between the front and rear lot lines.

Lot, double frontage. An interior lot having frontage on two (2) streets. Also known as a through lot.

Lot, interior. Any lot other than a corner lot.

Lot, pipe stem or flag. In the A-1 and A-2 zoning districts, a lot where access to the public road is by a right-of-way or driveway not less than twenty (20) feet in width.

Lot, width of. The average horizontal distance between side lot lines.

Lot of record. A lot, described by a deed or on a plat which has been recorded in the office of the clerk.

Lowest floor (For purpose of floodplain regulations). The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44 CFR § 60.3.

Lumber mill or sawmill. A facility where logs or partially processed cants are sawn, split, shaved, stripped, planed, chipped, or otherwise processed to produce wood products, such as making boards and trusses and components. Wood products may also include mulch and firewood. The use may include wholesale and retail sales.

Mail services. A commercial business or governmental agency, which conducts the retail sale of stationery products, and provides packaging and mail services (both U.S. Postal Service and private service), and provides mailboxes for lease.

Machinery and equipment center, commercial and industrial.- Establishments primarily engaged in the repair, maintenance, rental or sales of commercial and industrial machinery and equipment.

Machinery and equipment center, farm. Establishment selling, renting, or servicing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming.

Manufactured home park/subdivision, existing (For purpose of floodplain regulations). A parcel, or contiguous parcels of land divided into two (2) or more lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed, including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets, is completed as of September 29, 1986.

Manufacturing, heavy. The manufacturing, compounding, packaging, assembly, fabrication or processing of goods and materials using processes that have (a) the potential for external impacts on the environment, including but not limited to uses involving storage of large quantities of explosives, acids, fireworks, pesticides, or other volatile or hazardous materials which could pose hazard to life, property or the environment in the event of an accident; or (b) adverse impacts on adjacent property in terms of noise, smoke, fumes, odors, glare, health or safety regardless of whether such impacts.

Manufacturing, light. The manufacturing, compounding, packaging, assembly, fabrication or processing of goods and materials using processes that do not generally have the potential for external impacts on the environment or adversely impact adjacent properties in terms of noise, smoke, fumes, odors, glare, health or safety regardless of whether such impacts.

Master plan. A plan that illustrates the development proposal for the subject property, including but not limited to building footprints and square footage; proposed uses; landscape areas, buffering, and screening; plazas; bicycle, pedestrian, and vehicular circulation; parking; site access; service areas; and the identification of potentially sensitive design issues; and the relationship of the proposed development to existing, surrounding developments.

Meat processing facility. A building where animals are killed and processed; and/ or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed, but does not include a rendering plant. The facility may include wholesale and retail sales of products processed in the facility.

Medical office or clinic. A building used exclusively by physicians, dentists, and similar personnel for the treatment and examination of patients solely on an outpatient basis. This use may include outpatient surgery, emergency care, and medical-related support labs. This term shall not include group homes, halfway houses, hospitals, nursing homes, rehabilitation facilities, residential facilities, substance abuse treatments facilities, or schools.

Memorial garden. Land reserved in remembrance of the deceased. May include plaques, statues, memorial stones, or monuments. No bodies shall be interred in a memorial garden.

Mentally or physically impaired person. For the purposes related to a temporary family health care structure, a mentally or physically impaired person means a person who is a resident of Virginia or whose caregiver is a resident of Rockingham County, and who requires assistance with two or more activities of daily living, as defined in § 63.2-2200 of the Code of Virginia, as certified in a writing provided by a physician licensed by the Commonwealth.

Metal-working facility. A facility used to transform metal into intermediate or end products, other than machinery, computers and electronics, and metal furniture, or treat metals and metal formed products fabricated elsewhere. Important fabricated metal processes are forging, stamping, bending, forming, and machining, used to shape individual pieces of metal; and other processes, such as welding and assembling, used to join separate parts together. Establishments in this subsector may use one of these processes or a combination of these processes.

Microbrewery. A facility which produces or packages less than 10,000 barrels of beer or ale annually for wholesale distribution, and/or retail sales, and which meets all Virginia Alcohol Beverage Control laws and regulations. Retail sales may occur directly to the consumer through a tap room, attached restaurant, or off-premise sales.

Millwork. The production of wood products such as doors, window casings, baseboards, mantels, and crown molding.

Miniature golf course. A novelty version of golf played with a putter and a golf ball on a miniature course, typically with artificial playing surfaces, and including obstacles such as bridges and tunnels.

Mini-storage. A building or group of buildings divided into separate compartments used to meet the temporary storage needs; may include temperature controlled facilities.

Mitigation (for purpose of wireless telecommunications facilities). The reduction or elimination of visual impacts through either concealment, camouflage, and/or disguise.

Mitigation Plan. A formal plan for reducing the impact to a project development from the occurrence of a specific risk event, either man-made or natural disaster, such as flooding.

Molding operation. An industrial facility used for the production of molded products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished molded products manufactured on the premises, and the storage and maintenance of required equipment, but does not include the retail sale of molded products.

Motor vehicle sales lot. Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, tractor-trailers, recreational vehicles, boats, motorcycles, or other similar motorized transportation vehicles, and may provide on-site facilities for the repair and service of vehicles

Multi-purpose trail. A path or trail that is physically separated from motorized vehicular traffic by open ground or a barrier and is typically located either within the road right-of-way or within a separate right-of-way. A multi-purpose trail may be used by bicyclists, pedestrians, skaters, users of wheel chairs or wheel chair conveyances, joggers, and other non-motorized users. A multi-purpose trail may also be a multi-use trail or shared-use path.

Multi-use trail See “Multi-purpose trail.”

Museum. A building having public significance by reason of its architecture or former use or occupancy or a building serving as a repository for a collection of natural, scientific, or literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

Natural state or natural area. Land, usually open space, remaining in a natural, predevelopment condition in regard to vegetation and topography, as opposed to landscaping. Natural areas may be used for the preservation of existing trees, streams, etc.

Net residential area. All land in private residential lots or sites exclusive of streets, parking areas, common open spaces, commercial or other non-residential land.

New construction. (for purpose of floodplain regulations). For the purposes of determining insurance rates and for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of an initial flood insurance rate map (September 29, 1986), and includes any subsequent improvements to such structures.

Nonconforming use of structure. The use of a building or a structure which use does not conform to the regulations of this chapter for the district in which it is located, either at the effective date of this chapter or as a result of the subsequent amendments to the chapter.

Nonconforming structure. A structure either existing at the effective date of this chapter, or as a result of the subsequent amendments to this chapter, does not conform to the requirements of this chapter by reason of height or condition, or by reason of its impingement upon required yard area.

Nonconforming use. Any legal preexisting structure or object of natural growth which is inconsistent with the provisions of this chapter or any amendment to this chapter.

Nonconforming use of land. A legal use of land either existing at the effective date of this chapter, or as a result of subsequent amendments to this chapter, which does not conform to the regulations of the use district in which it is located.

Nursery operation- Any land used to raise trees, shrubs, flowers, and other plants for sale or for transplanting.

Nursing home. Any institution or facility meeting the licensing requirements as a nursing home under the Code of Virginia, 1950, as amended, including, but not limited to, nursing homes owned or administered by any agency of the Commonwealth of Virginia or a political subdivision thereof.

Obstruction. Any structure, growth, or other object, including a mobile object, which exceeds a limiting height, or penetrates any surface or zone floor, set forth in this chapter.

Office. A room or group of rooms used for conducting the affairs of a business, profession, service industry, or government

Off-road vehicles repair and sales facility. See "Repair and sales facility, off-road vehicles."

Off-street parking area. Space provided for vehicular parking outside the dedicated street right-of-way.

Overlay zoning district. A district where certain additional requirements are superimposed upon the underlying base zoning district and where the requirements of the underlying base zoning district may or may not be altered.

Parcel. A measured portion of land separate from other portions of land by a metes and bounds description or described as a separate, distinct tract in an instrument of conveyance or device and recorded with the clerk.

Parent tract. The parcel from which a subdivision is made.

Park-and-ride facility. An off-street parking facility designed or intended to provide peripheral collection and storage of vehicles to accommodate commuter traffic into or out from the community; including accessory structures such as passenger shelters.

Parking facilities, publicly or privately operated. An off-street facility including paved parking spaces and drives and aisles for maneuvering, providing access and for entrance and exit, developed in a way to accommodate the parking of automobiles. May include parking structures.

Park. Open space maintained on a regular basis for passive and/or active recreation consisting of paved paths and trails, open lawns, vegetation, open shelters, recreational facilities, or any combination thereof.

Permit. A document issued by Rockingham County allowing a person to begin an activity which may result in any structures or vegetation exceeding the height limitations provided for in this chapter.

Person. Any individual, firm, organization, partnership, trust, corporation (including municipal corporation), company, limited liability company, association, joint stock association, or governmental entity. The term includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Pharmacy. A business predominantly for the sale of pharmaceutical items, supplies, and equipment.

Pick-your-own farm. See "Farm, harvest-your-own."

Planning Director. See "Director of Planning."

Plat. The schematic representation of land divided or to be divided, prepared by a surveyor licensed by the Commonwealth of Virginia. When used as a verb, "plat" is synonymous with subdivide.

Playground. A small open space use designed for active child's play, which may include play equipment such as slides, swing sets, and the like.

Plaza. Usable open space, usually at the intersection of important streets, set aside for civic purposes and commercial activity, bordered by civic and/or private buildings. Plazas may range from very active places with adjacent complementary uses such as

restaurants and cafés, to quiet areas with formal landscape plantings having seating, fountains, or public art.

Poultry facility, intensive. A poultry house with accessory uses or structures, including feed storage bins, litter storage sites, incinerators, disposal pits or cold storage chests used for collection of dead birds. Also referred to as “poultry facility.”

Prescriptive right-of-way. An easement obtained by usage across another’s property allowing access through such property.

Primary. the main purpose for which land or a structure is used.

Primary surface. A surface, with a specified width as provided in this chapter, longitudinally centered on a runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Print or copy shop. A facility for the reproduction and copying of printed material or drawings. This does not include sign shops, printing establishments, or similar large-scale operations.

Private street. A street or road not maintained by the Virginia Department of Transportation.

Produce stand. Any structure less than 600 square feet in floor area, or land used for the sale of agricultural or horticultural products, produced by the owner or his family, grown by the owner or tenant of the property and sold on the property.

Project perimeter. The outer or exterior boundary of a residential, commercial, or industrial development project.

Property owner. Any entity with fee simple title to any plot of land within the county.

Property owners’ association. A corporation or other legal entity or a nonprofit organization to which has as its purpose maintenance of streets or other common areas in a subdivision or development.

Public safety facility. A facility for public safety and emergency services, such as police, fire, or rescue stations, including related administrative facilities, and assembly and training space used for public or private events.

Public sewer. Any system of pipelines or conduits, pumping stations, force mains, sewage treatment plants, and all other constructions, devices, and appliances appurtenant thereto, used for conducting or treating sewage, which is owned or controlled by the county or any authority or district created thereby, or any municipal corporation or other public entity created thereby located within the boundaries of the county, or which is owned and operated by a public utility as defined in Virginia Code § 56-265.1, 1950 as amended, or its successor statute.

Public water. Any system of pipelines or conduits, pumping stations, force mains, water treatment plants, and all other constructions, devices, and appliances appurtenant thereto, used for providing water services, which is owned or controlled by the county or any authority or district created thereby, or any municipal corporation or other public entity created thereby located within the boundaries of the county, or which is owned and operated by a public utility as defined in Virginia Code § 56-265.1, 1950 as amended, or its successor statute.

Public Works Director. See “Director of Public Works.”

Quarry operation. the extraction and processing of stone, sand, gravel, or topsoil. Processing shall not transform the initial chemical composition of the extracted product. May involve the sale of quarried products. A permanent operation is active for a period of greater than one year and is operated from one stationary location. A temporary on-site operation is active for a period of one year or less and shall use all or none of the quarried product on the site from which it is quarried.

Radio frequency engineer. (for purpose of wireless telecommunications facilities)- An individual or firm with documented expertise in radio frequency propagation and engineering.

Radio or television station. A broadcasting facility licensed by the Federal Communications Commission, which may include transmitting and receiving equipment, studios, offices, utility buildings, and other necessary accessories needed to operate the facility.

Rail siding. A short stretch of railroad track that is used to store rolling stock or enable trains on the same line to pass. Sidings may be used for marshaling, stabling, storing, loading, and unloading vehicles.

Railroad yard. An area used for the switching, storing, and repairing of railroad cars, including freight pick-up and distribution.

Rated nameplate capacity.(for purposes of wind energy conversion systems)- The maximum rated output of electric power production equipment, which is typically specified by the manufacturer with a “nameplate” on the equipment.

Recreation, indoor. Indoor recreation includes such uses as a movie theater, bowling alley, video game parlor, and billiard parlor.

Recreational Facilities. Installations that enhance the experience of the park user ranging from picnic tables, benches, or a playground in a small park, to a recreation center, swimming pool, or sport field in a larger park. This may also include shelters, sport courts, drinking fountains, parking lots, or restrooms.

Recreational lodge. A building or buildings used for temporary housing in support of outdoor recreation. This use does not include areas for tents, recreational vehicles, or motorized campers.

Recreational vehicle. A vehicle which is built on a single chassis, is four hundred (400) square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light-duty truck, and which is designed not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Recycling center. Any location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled or handled, including, but not limited to, scrap metals, paper, rags, tires and bottles, and other such materials.

Refuse collection and recycling center. A county-owned facility used for the collection of refuse and county-approved recyclables.

Rehabilitation facility. An inpatient or outpatient facility providing therapy and rehabilitation. This facility may offer occupational therapy, physical therapy, vocational training, and special training such as speech therapy but does not include therapy or rehabilitation for drug or alcohol abuse.

Repair and sales facility, off-road vehicles. A facility where the principal business is the sale or repair of any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, swampland, or other natural terrain, except that such terms exclude registered motorboats, military, fire, emergency, and law enforcement vehicles when used for emergency purposes.

Repair and sales facility, truck and semi-trailer. A facility for the general sale, repair, rebuilding of heavy truck and semi-trailer vehicles. Excludes motor vehicle sales lot.

Residential facility. A facility in which individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident counselors or other staff persons for which the Department of Behavioral Health and Development Service is the licensing authority pursuant to the Code of Virginia; or a facility in which aged, infirmed, or disabled persons reside, with one or more resident counselors or other staff persons for which the Department of Social Services is the licensing authority pursuant to the Code of Virginia. For purposes of this definition, mental illness and developmental disability shall not include current, illegal use of, or addiction to, a controlled substance as defined in § 54.1-3401 of the Code of Virginia

Restaurant. A commercial establishment where foods and beverages are provided for immediate consumption. The term, restaurant, includes lunchrooms, cafeterias, coffee shops, cafés, taverns, delicatessens, hotel dining rooms, dinner theaters, soda fountains, fast food restaurants, full-service restaurants, and dining accommodations of public or private clubs.

Retreat center. A facility used for meetings, conferences, or seminars, limited to no more than 100 people, which may provide meals, housing, and recreation for participants only during the period of the retreat or program. Kitchen and dining facilities shall be located in a centrally located building.

Right-of-way. A strip of land acquired by grant, reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer, and other similar uses; generally, for the right of one to pass over the property of another.

Right-of-way line. The dividing line between a lot, tract, or parcel of land and a right-of-way.

Rooming house. A structure used for residential occupancy on a rental basis, where for compensation and by prearrangement for defined periods, lodging or lodging and meals are provided for at least five (5) and up to fourteen (14) persons. A rooming house may also include the dwelling unit occupied by the owner or operator.

Runway. A specified area on an airport prepared for landing and takeoff of aircraft.

Sawmill or lumber mill. A facility where logs or partially processed cants are sawn, split, shaved, stripped, planed, chipped, or otherwise processed to produce wood products, such as making boards and trusses and components. Wood products may also include mulch and firewood. The use may include wholesale and retail sales.

School. Educational institution or educational organization, maintained or conducting classes for the purpose of offering instruction of students.

School, outdoor. A school in which all or part of the instruction, demonstration, practice and other related activities are conducted outdoors, including but not limited to instruction in the operation of vehicles.

Screening. Visually concealing or obscuring an abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

Seasonal worker housing. Housing provided for a temporary or seasonal requirement, such as housing for a seasonal or migrant worker while working on the farm on which the housing is located.

Service or maintenance area. An area located within a development project that is used to store materials, vehicles, and equipment, and the servicing of vehicles and equipment, used to maintain the development.

Setback. The minimum distance by which any structure shall be separated from a street right-of-way or lot line.

Setback line, minimum. The width required on any lot for construction.

Sewage pumping station- A facility which includes pumps and equipment for pumping sewage from one place to another. Also known as a sewage lift station.

Sewage treatment facility. A system for the treatment and disposal of sewage in which sewage is treated and disposed in compliance with state and local regulations.

Shadow flicker. (for purposes of wind energy conversion systems)- The visible flicker effect when rotating turbine blades cast shadows on the ground and nearby structures, causing the repeating pattern of light and shadow.

Shallow flooding area. A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Shared-use path. See multi-purpose trail.

Shooting range, indoor. A completely enclosed building designed for the safe discharge of archery equipment and firearms at targets for marksmanship practice or competitions.

Shooting range, outdoor. An outdoor area or structure designed for the safe discharge of archery equipment and firearms at targets, silhouettes, sporting clays, skeet, or trap, for the purpose of commercial sport shooting or military and/or law enforcement training.

Sidewalk. An improved pedestrian surface that is typically located adjacent to a road, which meets handicap-accessibility requirements.

Silviculture. Any forest management activity, including but not limited to the harvesting of timber, the construction of roads and trails for forest management purposes, and the preparation of property for reforestation.

Sign. Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product, which are visible from any public way and used as an outdoor display. A display of less than one (1) square foot in area is excluded from this definition.

Sign area. The advertising area, excluding architectural trim and structural supports.

Sign, business. A sign, painted, electrical, or otherwise erected for the purpose of conveying information, knowledge, or ideas to the public about a subject related to the premises upon which said sign is located.

Sign, directional. A sign which may have one (1) end pointed or on which an arrow may be painted indicating only the name and the direction to the institution, business, or industry noted on the sign.

Sign, outdoor advertising. A structural poster panel or painted sign, either free-standing or attached to a building, for the purpose of conveying information, knowledge, or ideas to the public about a subject unrelated to the premises upon which it is located.

Sign structure. A structure composed of a single pole or multiple poles which is located on the ground or on top of another structure and which supports no more than two (2) signs.

Sign structure facing. The surface of the sign upon, against, or through which the message of the sign is exhibited, not including architectural trim and structural supports.

Sign, temporary. Any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other materials with or without frames intended to be displayed for a period of not more than twenty-one (21) consecutive days within any one hundred twenty (120) day period.

Site plan. A detailed engineering drawing of proposed improvements to a given lot. A site plan shall include, as applicable, but not limited to, a building footprint, travel ways, parking, drainage facilities, sanitary sewer and waterlines, trails, lighting, and landscaping.

Site plan, minor. Any required site plan meeting the following criteria:

- (1) The site development involves new construction or use of less than one thousand (1,000) square feet of gross floor area.
- (2) The site development involves an addition to an approved site and the addition is less than two thousand five hundred (2,500) square feet of gross floor area and has no increase in the parking required in this chapter or a change in utilities.
- (3) The site does not require additional ingress/egress or alteration of existing ingress/egress.
- (4) The site does not require engineering work to develop the building or site.

Ski slopes and lodge. A ski slope and a lodge, which may include sales, rentals, and services of related equipment and accessories, and food services.

Spa. An establishment which employs professional, licensed therapists whose services include massage and body or facial treatments. Full service hair salons, make-up consultation and application, and manicure and pedicure services may be provided as additional services. Therapists and practitioners rendering services shall be governed by their appropriate licensing board, if licensure is required.

Special flood hazard area. The land in the floodplain subject to a one-percent or greater chance of being flooded in any given year.

Sports or activity complex. Recreation facilities operated as a business and open to the public.

Start of construction. The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within one hundred eighty (180) days of the

permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stealth structure. (for purpose of wireless telecommunications facilities)- Any structure designed to conceal or disguise wireless telecommunications facilities including but not limited to flag poles, silos, tree poles, and lookout towers.

Stone and monument works and sales. Manufacturing establishments primarily engaged in cutting, shaping, and finishing marble, granite, slate, and other stone for building and miscellaneous uses. Also includes establishments primarily engaged in buying, selling or storing partly finished monuments and tombstones.

Story. That portion of a building, other than the basement, included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, the space between the first floor and the ceiling next above it.

Story, half. A space under a sloping roof, which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level and in which space of not more than two-thirds of the floor space is finished off for use.

Street. Any public or private roadway providing access to two (2) or more lots, or abutting properties, but not including driveways.

Street, main. The street segments within a mixed use district that are designed as the most significant streets with the most prominent buildings, the greatest connectivity through the site, and which generally have the highest building intensity and most intensive uses.

Street, side. The street segments within a mixed use district that are subordinate to the main streets, and are designed to carry less traffic and generally have less overall connectivity through the site.

Street centerline. A line generally parallel to the street right-of-way lines that equally divides the street right-of-way.

Street, internal. A private street providing access to lots within a development, but not including driveways.

Street, stub. A street, with no cul-de-sac, whose right-of-way terminates at a parcel abutting the development or a future phase of the same development.

Street width. The total width of the strip of land dedicated or reserved for public travel, including roadways, curbs, gutters, sidewalks and planting strips.

Structural engineer. (for purpose of wireless telecommunications facilities)- An individual or firm licensed to practice structural engineering by the Commonwealth of Virginia.

Structure. Anything constructed or erected, the use of which requires a location on the ground.

Structure height. (for purposes of wind energy conversion systems)- The vertical height of a wind energy measured from existing average grade to the tip of the rotor blade at its highest point, or blade tip height.

Subdivide. To divide, redivide, partition or develop any land into two (2) or more lots or parcels in compliance with chapter 16 of the Rockingham County Code.

Subdivider. Any person owning a tract or parcel of land to be subdivided.

Substantial damage (for purposes of floodplain regulations) Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial improvement. (for purposes of floodplain regulations). Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Surveyor. A land surveyor certified by the Commonwealth of Virginia.

Substance abuse treatment facility. A facility for the purposes of temporary or long-term inpatient treatment of victims of alcohol or drug use or addition.

Taxidermy. The business of preparing, stuffing, and mounting the skins of animals.

Telecommunication facility height. The distance measured from ground level to the highest point on the structure, even if said highest point is an antenna.

Telework center. The relocation of work activities to a satellite work site to eliminate or reduce the distance traveled in a commute trip. Telecommunications, computers, and other supporting activities may be employed at the work site.

Temporary family health care structure. means a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the Industrialized Building Safety Law (§ 36-70 et seq. of the Code of Virginia) and the Uniform Statewide Building Code (§ 36-97 et seq. of the Code of Virginia). Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.

Temporary use. A use established for a fixed period of time with the intent that such use will terminate automatically upon expiration of the fixed time period unless permission to conduct the use is renewed.

Terminal, bus or rail. A place where the transfer of people between modes of transportation takes place.

Theater. An indoor structure used for dramatic, operatic, motion pictures, or other performances.

Time-share unit, lockout. A time-share unit internally separated by a securable doorway and therefore capable of being occupied as two (2) separate dwelling units, yet having unified ownership of title, such ownership transferrable only as a single time-share unit by a deed or similar instrument recorded with the land records and classified as a single dwelling unit for density calculations.

Tower. The structure on which the wind energy system is mounted

Tower development company. Any entity that builds antenna support structures for the sole purpose of leasing space for the placement of antennas.

Tower height. The height above grade of the fixed portion of the wind energy system tower.

Transit shelter. A structure that provides protection from the weather to persons who are waiting to board a publicly owned or franchised transit vehicle.

Transitional surfaces. Surfaces, whose design standards are referenced in this chapter, which extend outward perpendicular to the runway centerline extended sloping from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.

Travel center. A facility typically providing fuel, food, convenience items, and rest and hygiene facilities for commercial truck drivers as well as interstate travelers.

Truck and semi-trailer repair and sales facility. See "Repair and sales facility, truck and semi-trailer."

Truck terminal. A facility where trucks are stored and dispatched when not accessory to another use on the premises. The use may include maintenance and service of dispatched vehicles.

Turbine. The parts of the wind system including the blades, generator and tail.

Unified control. A method by which two or more land owners and/or contract purchasers may act as a single entity for the purpose of making application for rezoning land to a planned zoning district.

Urban growth areas. Areas adjacent to growing unincorporated areas, towns, or the city that are planned for public infrastructure expansion and urban growth. Generally designated by an urban growth boundary, these areas provide a sharp distinction between urban and rural uses and aid in the protection of the County's rural character.

Uses, permitted. A use which is allowed in the district in which the land is situated. Where the proposed use is permitted and is in accordance with other regulations herein, the use shall be permitted by the zoning administrator, without a public hearing.

Uses, prohibited. Any use not specifically permitted by right or special use permit shall be prohibited.

Uses, special. A special use which may be allowed when the board of supervisors, after review of the application and hearing thereon, finds as a fact that the proposed use or uses are consistent with the comprehensive plan and the policies of the county, the standards of this chapter and the public interest. A special use permit will be issued by the zoning administrator after such special use has been approved by the board of supervisors.

Utility building. A building of less than 200 square feet for the storage of tools and other maintenance equipment and located on a lot that has no primary structure.

VDOT. Virginia Department of Transportation.

Value-added agricultural products. A raw agricultural product that has been modified or enhanced to be a product with a higher market value and/or a longer shelf life. Some examples include fruits made into pies or jams, meats made into jerky, and tomatoes and peppers made into salsa. The raw agricultural product shall be grown and the value-added product produced on the same farm on which the value-added product is sold.

Variance. A departure of the terms of this chapter by the board of zoning appeals under procedures in accordance with the provisions of this chapter.

Vegetation.: Any object of natural growth.

Vehicle, inoperable. Any motor vehicle which is not in operating condition or which is missing one of the following: valid inspection sticker or valid license plates without which it cannot legally be operated on the highway. No more than three (3) inoperable

vehicles shall be located on a parcel of land in the A-1 and A-2 zoning districts and no inoperable vehicles shall be located on a parcel with residential zoning.

Vehicle, junked. Any motor vehicle which is not in operating condition; or which has been partially or totally disassembled and on which one of the following is missing (or on which the date has been expired for more than forty-five (45) days): valid inspection sticker or valid license plates. No more than three (3) junked vehicles shall be located on a parcel of land in the A-1 and A-2 zoning districts and no junked vehicles shall be located on a parcel with residential zoning.

Viniculture. The cultivation of grapes for the production of wine.

Viticulture. The cultivation of grapes and grapevines.

Warehouse.. A structure primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other warehouse products. These establishments provide facilities to store goods and do not sell the goods they handle. These establishments take responsibility for storing the goods and keeping them secure.

Water pumping station. A facility which includes pumps and equipment for pumping water from one place to another, in compliance with state and local regulations.

Water storage tank, private. A tank used to satisfy water pressure demand or fire suppression deficiencies.

Water treatment facility. Any facility or facilities used or available for use in the collection, treatment, testing, storage, pumping, or distribution of water for a publicly or privately owned water system in compliance with state and local regulations.

Watercourse. A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Wind energy. Power generated by converting the mechanical energy of the wind into electrical energy through the use of a wind generator.

Wind energy conversion system. Wind energy conversion systems include all equipment, machinery and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, new transmission lines needed to connect to local utility's electric transmission and/or distribution system, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines.

Wind energy structure. A wind energy conversion system consisting of a single wind turbine, wind energy tower, and associated controls or conversion electronics.

Wind energy system, large scale. A wind energy conversion system with a structure height greater than eighty (80) feet or a rated output of electrical power production equipment greater than five (5) megawatts.

Wind energy system, small. A wind energy conversion system with a maximum power that does not exceed 100 kw, which will be used primarily to reduce on-site consumption of utility power.

Wind energy tower. The structure on which the wind system is mounted.

Wind energy tower height. The height above grade of the fixed portion of the wind energy tower, excluding the wind turbine itself.

Wind farm. A piece of land on which a wind energy conversion system is sited for the purpose of electricity generation.

Wind monitoring or meteorological tower. A temporary tower equipped with devices to measure wind speeds and direction, and used to determine how much wind power a site can be expected to generate.

Wind turbine. A device that converts kinetic wind energy into rotational mechanical energy that drives an electrical generator to create electrical energy, in compliance with state and local regulations.

Winery, farm. A winery as defined by the state alcoholic beverage control board where upon at least fifty-one (51) percent of the fresh fruits or agricultural products used by the owner to manufacture the wine shall be grown or produced on the farm. If in the event of drought, natural disaster, disease or other cause beyond the control of the owner there are not sufficient grapes grown on the premises to allow the owner to meet normal annual production the owner may petition in writing for a one-year waiver of the fifty-one (51) percent rule. For the rule to be waived approval must be given by both the state alcoholic beverage control board and the zoning administrator and the owner shall be notified in writing by the zoning administrator of such waiver. The fifty-one (51) percent rule shall not be waived for more than three consecutive years.

Wireless service provider. Any entity licensed or operating under a license issued by the FCC to provide wireless telecommunications services.

Wireless telecommunications facility. All infrastructure and equipment including but not limited to antenna support structures, antennas, transmission cables, equipment shelters, equipment cabinets, utility pedestals, ground systems, fencing, signage and other ancillary equipment associated with the transmission or reception of wireless communications.

Wireless telecommunications facilities, stealth. Any communications facility which is designed to blend into the surrounding environment. Examples of stealth facilities may include but are not limited to antenna tower alternatives structures, architecturally screened roof-mounted antennas, building-mounted antennas painted to match the

existing or proposed trees and landscaping, and antenna structures designed to look like light poles.

Yard, front. An area on the same lot with the main building, extending the full width of the lot and situated between the frontage and the front line of the building. The minimum depth of the front yard is defined by the front setback.

Yard, rear. An area on the same lot with the main building, such space may have an accessory building, and the yard extends the full width of the lot and situated between the rear line of the lot and the rear line of the main building projected by the sidelines of the lot.

Yard, side. An area on the same lot with a main building situated between the sideline of the building and the adjacent sideline of the lot extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required, the front boundary of the side yard shall be the front line of the lot; and if no rear yard is required, the rear boundary of the side yard shall be the rear line of the lot.

Yard sale. The sale of miscellaneous, used items commonly associated with residential use. The term “yard sale” includes “garage sale,” “basement sale” and “estate sale.”

Zero-lot line. A common lot line on which a wall or a structure may be constructed.

Zone. All areas provided for this chapter, generally described in three dimensions by reference to ground elevation, vertical distances from the ground elevation, horizontal distances from the runway centerline and the primary and horizontal surfaces, with the zone floor set at specific vertical limits by the surfaces found in this chapter.

Zoning Administrator. The official or designee, of Rockingham County, charged with enforcing, administering, and interpreting the zoning ordinance. The Zoning Administrator shall also be referred to as the Administrator.

CHAPTER 17. ZONING

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-301. CONSERVATION DISTRICT (C-1).

- Sec. 17-301.00. Definition.**
- Sec. 17-301.01. Requirements.**
- Sec. 17-301.02. Minimum Area.**
- Sec. 17-301.03. Water and Sewer.**
- Sec. 17-301.04. Utilities.**
- Sec. 17-301.05. Common Area.**
- Sec. 17-301.06. Permitted Uses.**
- Sec. 17-301.07. Special Uses.**
- Sec. 17-301.08. Accessory Uses.**

17-301.00. Definition.

This district contains land in the County for the purposes of natural resource management and public recreational use.

17-301.01. Requirements.

- A. All land in the C-1 district shall be owned by the federal, state, or local government.
- B. When land owned by the federal, state, or local government is added to a forest or park, the official zoning map shall be amended to designate that land as C-1, without a public hearing.
- C. When land owned by the federal, state, or local government is transferred to private ownership, the official zoning map shall be amended so that land assumes the zoning district of the majority of the surrounding and nearby private lands, unless an amendment for another zoning district is submitted and approved under Article 10, Procedures, of this chapter.

17-301.02. Minimum Area.

The C-1 district designation shall require no minimum acreage. Additions that form a logical extension of or adjoin an existing C-1 district shall require no minimum acreage.

17-301.03. Water and Sewer.

All C-1 districts shall be served by public water and public sewer or by a private water supply and/or a private sewage treatment system. The private sewage treatment system shall be fully contained on the lot it serves.

17-301.04. Utilities.

No structure or landscaping shall be placed within any utility easement, unless otherwise permitted by the controlling utility company or agency.

17-301.05. Common Area.

No common area shall be required in the C-1 district.

17-301.06. Permitted Uses.

Chapter 17, Zoning Ordinance, has no effect on land zoned C-1.

17-301.07. Special Uses.

Chapter 17, Zoning Ordinance, has no effect on land zoned C-1.

17-301.08. Accessory Uses.

Chapter 17, Zoning Ordinance, has no effect on land zoned C-1.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-302. PRIME AGRICULTURAL DISTRICT (A-1).

- Sec. 17-302.00. Definition.**
- Sec. 17-302.01. Requirements.**
- Sec. 17-302.02. Minimum Area.**
- Sec. 17-302.03. Water and Sewer.**
- Sec. 17-302.04. Utilities.**
- Sec. 17-302.05. Common Area.**
- Sec. 17-302.06. Permitted Uses.**
- Sec. 17-302.07. Special Uses.**
- Sec. 17-302.08. Accessory Uses.**
- Sec. 17-302.09. Standards.**
- Sec. 17-302.10. General Development Plan.**

17-302.00. Definition.

The A-1 district is designed to implement Comprehensive Plan goals related to the preservation of the county's agricultural industry, economy, and rural character. This is achieved by giving preference to uses that conserve agricultural and forestal land, protect water and air quality, and conserve water and other natural and ecological resources.

17-302.01. Requirements.

- A. The predominant land uses in the A-1 district shall be agricultural production and forestry. Agritourism and agribusiness-related support uses shall be permitted in order to supplement farm income.
- B. Agricultural and forestal activities shall be regulated only to the extent necessary to protect public health and safety. People who choose to live in the A-1 district should expect agricultural and forestal activities to produce noise, odors, and other effects as part of day-to-day operations.
- C. Pipe-stem lots shall be allowed in the A-1 district.

17-302.02. Minimum Area.

A-1 district designation shall require a minimum of six (6) contiguous acres. Additions that form a logical extension of or adjoin an existing A-1 district shall require no minimum acreage.

17-302.03. Water and Sewer.

All A-1 districts shall be served by public water and public sewer or by a private water supply and/or a private sewage treatment system. The private sewage treatment system shall be fully contained on the lot it serves.

17-302.04. Utilities.

No structure or landscaping shall be placed within any utility easement unless otherwise permitted by the controlling utility company or agency.

17-302.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-302.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Buggy and harness shop, repair and sales
- Community supported agriculture (CSA)
- Farm First Enterprise Program uses
- Farm winery and associated activities
- Greenhouse, retail sales
- Greenhouse, wholesale sales
- Harvest-your-own farm business
- Kennel operation, private
- Nursery operation, retail sales

Nursery operation, wholesale sales
Poultry litter service or brokerage operation

Agricultural Uses

Agriculture
Animal husbandry
Aquaculture
Farm buildings
Greenhouse, private
Horse stable, commercial
Horticulture
Intensive agricultural facility
Intensive poultry facility
Silviculture
Viniculture

Commercial Business and Services
Landscaping service

Education
Daycare home, child

Health Services or Facilities
Residential facility

Industry
Biomass conversion facility

Public and Quasi-Public Uses
Community garden
Public safety facility

Residential Uses
Dwelling, manufactured home
Dwelling, single-family detached

Temporary Uses
Temporary manufactured home

17-302.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Animal hospital
- Agricultural research facility
- Farm market
- Feed mill
- Kennel operation, commercial
- Livestock sales facility

Commercial Business and Services

- Funeral home, crematory
- Storage in an agricultural structure

Commercial Retail

- Farm machinery and equipment center
- Seed and feed store

Education

- School
- School, outdoor

Facilities and Utilities

- Electrical substation
- Refuse collection and recycling center
- Sewage pumping station
- Sewage treatment facility
- Water pumping station
- Water storage tank, public
- Water treatment facility
- Wind energy system, large-scale
- Wireless telecommunications facility
- Wireless telecommunications facility, stealth

Health Services or Facilities

- Daycare home or center, adult
- Group home

Industry

- Meat processing facility
- Metal-working facility
- Millwork operation
- Quarry operation
- Sawmill or lumber mill

Lodging

- Bed and breakfast inn
- Country inn
- Seasonal worker housing

Public and Quasi-Public Uses

- Cemetery
- Church or other place of worship
- Event center
- Heritage center
- Library
- Memorial garden
- Museum
- Park-and-ride facility
- Retreat center

Recreation or Amusement

- Community center
- Equestrian facility
- Recreational lodge
- Retreat center
- Park
- Shooting range, outdoor

Residential Uses

- Dwelling, farm-worker

Temporary Uses

- Seasonal or periodic events

Transportation

- Heliport, or flight strip, including flight instruction
- Rail siding

17-302.08. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Agriculture-Related Businesses

- Produce stand

Education

- Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

- Utility building

Residential Businesses

- Home business

Home occupation

Residential Uses

Dwelling, accessory
Temporary family healthcare structure
Swimming pool, accessory to a dwelling

Temporary Uses

Portable storage unit
Temporary construction-related building or trailer
Yard sales

17-302.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-302.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

CHAPTER 17. ZONING

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-303. GENERAL AGRICULTURAL DISTRICT (A-2).

- Sec. 17-303.00. Definition.**
- Sec. 17-303.01. Requirements.**
- Sec. 17-303.02. Minimum Area.**
- Sec. 17-303.03. Water and Sewer.**
- Sec. 17-303.04. Utilities.**
- Sec. 17-303.05. Common Area.**
- Sec. 17-303.06. Permitted Uses.**
- Sec. 17-303.07. Special Uses.**
- Sec. 17-303.08. Accessory Uses.**
- Sec. 17-303.09. Standards.**
- Sec. 17-303.10. General Development Plan.**

17-303.00. Definition.

The A-2 district is designed to implement goals of the Comprehensive Plan related to the preservation of the county's agricultural industry, economy, and rural character. This is achieved by giving preference to uses that conserve agricultural and forestal land, protect water and air quality, and conserve water and other natural and ecological resources.

17-303.01. Requirements.

- A. The predominant land uses in the A-2 district shall be agricultural production and forestry. Agritourism and agribusiness-related support uses shall be permitted in order to supplement farm income.
- B. The A-2 district shall allow more community-scale retail, service, and recreational uses than the A-1 district, primarily through special use permits.
- C. Agricultural and forestal activities shall be regulated only to the extent necessary to protect public health and safety. People who choose to live in this district should expect agricultural and forestal activities to produce noise, odors, and other effects as part of day-to-day operations.
- D. Pipe-stem lots shall be allowed in the A-2 district.

17-303.02. Minimum Area.

A-2 district designation shall require a minimum of six (6) contiguous acres. Additions that form a logical extension of or adjoin an existing A-1 district or A-2 district shall require no minimum acreage.

17-303.03. Water and Sewer.

All A-2 districts shall be served by public water and public sewer or by a private water supply and/or a private sewage treatment system. The private sewage treatment system shall be fully contained on the lot it serves.

17-303.04. Utilities.

No structures or landscaping shall be placed within any utility easement, unless otherwise permitted by the utility company or agency.

17-303.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-303.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Buggy and harness shop, repair and sales
- Community supported agriculture (CSA)
- Farm First Enterprise Program uses
- Farm winery and associated activities
- Greenhouse, retail sales
- Greenhouse, wholesale sales
- Harvest-your-own farm business
- Kennel operation, private
- Nursery operation, retail sales
- Nursery operation, wholesale sales
- Poultry litter service or brokerage operation

Agricultural Uses

- Agriculture
- Animal husbandry
- Aquaculture
- Farm buildings
- Greenhouse, private
- Horse stable, commercial
- Horticulture
- Intensive agricultural facility
- Intensive poultry facility
- Silviculture
- Viniculture

Commercial Business and Services

- Banquet facility or reception center
- Cabinet, furniture, woodworking, upholstery shop
- Funeral home, crematory
- Restaurant
- Storage in an agricultural structure

Commercial Retail

- Antique shop

Education

- Daycare home, child

Facilities and Utilities

- Water storage tank, private
- Wind energy system, small-scale

Health Services or Facilities

- Residential facility

Industry

- Biomass conversion facility

Public and Quasi-Public Uses

- Community garden
- Public safety facility

Residential Uses

- Dwelling, manufactured home
- Dwelling, single-family detached

Temporary Uses

- Temporary manufactured home

17-303.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Animal hospital
- Agricultural research facility
- Farm market
- Feed mill
- Kennel operation, commercial
- Livestock sales facility

Commercial Business and Services

- Banquet facility or reception center
- Cabinet, furniture, woodworking, upholstery shop
- Funeral home, crematory
- Restaurant
- Storage in an agricultural structure

Commercial Retail

- Antique shop
- Auction facility
- Convenience store
- Farm machinery and equipment center
- Flea market
- Seed and feed store

Education

- Daycare center, child
- School
- School, outdoor

Facilities and Utilities

- Electrical substation
- Refuse collection and recycling center
- Sewage pumping station
- Sewage treatment facility
- Water pumping station
- Water storage tank, public
- Water treatment facility
- Wind energy system, small-scale
- Wireless telecommunications facility
- Wireless telecommunications facility, stealth

Health Services or Facilities

- Daycare home or center, adult
- Group home
- Halfway house
- Medical office or clinic
- Substance abuse treatment facility

Industry

- Meat processing facility
- Metal-working facility
- Millwork operation
- Quarry operation
- Sawmill or lumber mill

Lodging

- Bed and breakfast inn
- Country inn
- Seasonal worker housing

Motor Vehicle-Related Uses

- Automobile repair shop

Public and Quasi-Public Uses

- Animal shelter
- Cemetery
- Church or other place of worship
- Emergency and protective facility
- Event center
- Fairgrounds
- Heritage center
- Library
- Memorial garden
- Museum
- Park-and-ride facility
- Retreat center

Recreation or Amusement

- Campground
- Community center
- Equestrian facility
- Golf course
- Recreational lodge
- Retreat center
- Park
- Shooting range, indoor
- Shooting range, outdoor

Residential Uses

- Dwelling, farm-worker

Temporary Uses

- Seasonal or periodic events

Transportation

- Heliport, or flight strip, including flight instruction
- Rail siding

17-303.08. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Agriculture-Related Businesses

- Produce stand

Education

- Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

- Utility building

Residential Businesses

- Home business
- Home occupation

Residential Uses

- Dwelling, accessory
- Temporary family healthcare structure
- Swimming pool, accessory to a dwelling

Temporary Uses
Portable storage unit
Yard sales

17-303.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-303.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-304. RURAL VILLAGE DISTRICT (RV).

- Sec. 17-304.00. Definition.**
- Sec. 17-304.01. Requirements.**
- Sec. 17-304.02. District Status.**
- Sec. 17-304.03. Water and Sewer.**
- Sec. 17-304.04. Utilities.**
- Sec. 17-304.05. Common Area.**
- Sec. 17-304.06. Permitted Uses.**
- Sec. 17-304.07. Special Uses.**
- Sec. 17-304.08. Accessory Uses.**
- Sec. 17-304.09. Standards.**
- Sec. 17-304.10. General Development Plan.**

17-304.00. Definition.

The RV district is comprised of existing rural villages that have historically served as support to the surrounding rural areas. These areas have agribusinesses, agritourism, small-scale community retail or services, and residences.

17-304.01. Requirements.

- A. The RV district shall promote the continuance of community activities and the limited establishment of businesses to serve the immediate community or surrounding agricultural areas.
- B. Surrounding buildings should be evaluated as to the significance and integrity of their architecture and general development character. Where appropriate, new development should be compatible with adjacent structures and the pattern of the surrounding area. Compatibility is not construed to imply that new development conforms strictly to existing development but, rather, that new development is similar to existing development in scale and massing, that materials and colors complement the existing development, and that adequate transition buffers are provided between new commercial development and noncommercial development or zoning districts.
- C. Development incompatible with the RV district or the surrounding agricultural or forestal uses shall be encouraged to locate within urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County.

17-304.02. District Status.

Land zoned RS-1 prior to the adoption of this ordinance shall be zoned RV and comply with Section 17-304. No additional land shall be rezoned to RV after [DATE OF ADOPTION].

17-304.03. Water and Sewer.

All RV districts shall be served by a private water supply and/or a private sewage treatment system where public water and/or public sewer are not available. The private sewage treatment system shall be fully contained on the lot it serves.

17-304.04. Utilities.

No structures or landscaping shall be placed within any utility easement, unless otherwise permitted by the utility company or agency.

17-304.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-304.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Animal hospital
- Buggy and harness shop, repair and sales
- Community supported agriculture (CSA)

Farm market
Greenhouse, retail sales
Greenhouse, wholesale sales
Harvest-your-own farm business
Nursery operation, retail sales
Nursery operation, wholesale sales
Poultry litter service or brokerage operation
Produce stand

Agricultural Uses

Animal, domestic

Commercial Business and Services

Banks and other financial services
Beauty or barber shop
General service business, not otherwise listed, 15,000 square feet or less
Landscaping service
Laundry, dry cleaning, laundromat
Mail services
Office
Print and copy shop
Rental establishment
Restaurant
Tailor or seamstress shop
Taxidermy
Telework center

Commercial Retail

Antique shop
Auction facility
Convenience store
Farm machinery and equipment center
Pharmacy
Retail sales store, not otherwise listed, under 15,000 square feet
Seed and feed store

Education

Daycare center, child
Daycare home, child

Facilities and Utilities

Electrical substation
Sewage pumping station
Sewage treatment facility
Water pumping station
Water storage tank, public
Water treatment facility
Wind energy system, small-scale

Wireless telecommunications facility
Wireless telecommunications facility, stealth

Health Services or Facilities

Daycare home or center, adult
Medical office or clinic
Residential facility

Lodging

Bed and breakfast inn
Country inn

Motor Vehicle-Related Uses

Motor vehicle sales lot

Public and Quasi-Public Uses

Art gallery
Church or other place of worship
Community garden
Library
Public safety facility

Recreation or Amusement

Park

Residential Uses

Dwelling, single-family detached

17-304.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

Kennel operation, commercial

Commercial Business and Services

Banquet facility or reception center
Cabinet, furniture, woodworking, upholstery shop
Funeral home, crematory
General service business, not otherwise listed, 15,000 square feet or less
Mini-storage

Commercial Retail

Flea market
Retail sales store, not otherwise listed, under 15,000 square feet

Education

School
School, outdoor

Facilities and Utilities

Electrical substation
Sewage pumping station
Sewage treatment facility
Water pumping station
Water storage tank, public
Water treatment facility
Wind energy system, small-scale
Wireless telecommunications facility
Wireless telecommunications facility, stealth

Health Services or Facilities

Group home
Halfway house
Nursing home
Rehabilitation facility
Substance abuse treatment facility

Industry

Contractor's operation
Meat processing facility
Metal-working facility

Motor Vehicle-Related Uses

Automobile repair shop
Automobile tow service

Public and Quasi-Public Uses

Animal shelter
Cemetery
Emergency and protective facility
Event center
Heritage center
Memorial garden
Museum
Park-and-ride facility
Retreat center

Recreation or Amusement

Amphitheater
Community center

Park
Swimming, tennis facility, public or private
Theater

Temporary Uses
Portable storage unit

Transportation
Bus or rail terminal
Rail siding

17-304.08. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Education
Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities
Utility building

Industry
Warehouse

Residential Businesses
Home business
Home occupation

Residential Uses
Dwelling, accessory
Temporary family healthcare structure
Swimming pool, accessory to a dwelling

Temporary Uses
Temporary construction-related building or trailer
Yard sales

17-304.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-304.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-305. RESIDENTIAL OR RECREATIONAL DISTRICT (RR-1).

- Sec. 17-305.00. Definition.**
- Sec. 17-305.01. District Status.**
- Sec. 17-305.02. Permitted Uses.**
- Sec. 17-305.03. Special Uses.**
- Sec. 17-305.04. Accessory Uses.**
- Sec. 17-305.05. Lot Size.**
- Sec. 17-305.06. Frontage.**
- Sec. 17-305.07. Covenants.**
- Sec. 17-305.08. Private Street Standards.**
- Sec. 17-305.09. Public Street Standards.**
- Sec. 17-305.10. Plans and Bonding.**
- Sec. 17-305.11. Resubdivision.**

17-305.00. Definition.

- A. This district is designed to provide for housing development in rural and mountainous areas of Rockingham County that are generally unsuitable for intensive agricultural use. Desired locations consist of areas having limitations restricting agricultural uses.
- B. The district further recognizes two (2) types of development with the RR-1:
 - 1. *RR-1—Residential.* This type of development is intended to provide space for low density residential development of an exclusive nature, intended for full-time residences.
 - 2. *RR-1—Recreational.* This type of development is intended for low density recreational housing. Generally situated in mountainous and wooded areas, the development is characterized by housing used as part-time residences or retreats.

17-305.01. District Status.

Land zoned RR-1 prior to the adoption of this ordinance shall comply with Section 17-305. No additional land shall be rezoned to RR-1 after [DATE OF ADOPTION].

17-305.02. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agricultural Uses

Animal, domestic

Facilities and Utilities

Water storage tank, private

Health Services or Facilities

Residential facility

Public and Quasi-Public Uses

Church or other place of worship

Recreation or Amusement

Park

Residential Uses

Dwelling, single-family detached

Dwelling, single-family detached with independent living quarters

17-305.03. Special Uses.

When, after review of an application and hearing, thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with surrounding uses and the Comprehensive Plan, is not detrimental to the character of the adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Agricultural Uses

Silviculture

Education

Daycare center, child

Daycare home, child

School

Facilities and Utilities

Electrical substation

Sewage pumping station

Sewage treatment facility
Water pumping station
Water storage tank, public
Water treatment facility
Wind energy system, small-scale
Wireless telecommunications facility
Wireless telecommunications facility, stealth

Health Services or Facilities
Daycare home or center, adult

Public and Quasi-Public Uses
Cemetery
Public safety facility

Residential Uses
Dwelling, manufactured home

17-305.04. Accessory Uses.

Where an area is devoted to a permitted use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Education
Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities
Service or maintenance area
Utility building

Residential Businesses
Home business
Home occupation

Residential Uses
Temporary family healthcare structure
Swimming pool, accessory to a dwelling

Temporary Uses
Temporary construction-related building or trailer

17-305.05. Lot Size.

The minimum lot area in an RR-1 district shall be two and one-half (2½) acres. Every lot within an RR-1 subdivision shall be approved by the health department for the

installation of septic tanks or have community system approved by the health department or director of public works, when applicable, prior to final subdivision approval.

17-305.06. Frontage.

All lots shall front on a public street or front on a private right-of-way at least fifty (50) feet in width. The minimum frontage shall be one hundred (100) feet at the setback line.

17-305.07. Covenants.

- A. The owner's consent and dedication on the final plat shall contain a restrictive covenant specifying the requirements of this section.
- B. No conveyance, whether by developer or subsequent owner, of any lot fronting on a private right-of-way shall be recorded unless the deed of conveyance is signed by the grantee and contains language and is accompanied by a duly recorded restrictive covenant to specify that:
 - 1. When streets are private, each subdivision plat and deed with private streets shall contain the following language: "The streets in this subdivision do not meet the standards necessary for inclusion in the system of state highways nor are they intended for inclusion in the system of state highways and shall not be maintained by the Department of Transportation or Rockingham County and are not eligible for rural addition funds or any other fund appropriated by the General Assembly and allocated by the Commonwealth Transportation Board." No request will be made to have the lot herein conveyed served by a public street unless, and until the private street serving said lot has been dedicated and constructed, at no cost to the county or the state department of transportation, in accordance with the current subdivision street regulations, as amended from time to time, of the state department of transportation with the exception of minimum right-of-way width which shall be in all instances a minimum of fifty (50) feet in width. To the extent that such roads shall meet the requirements of the state department of transportation, the requirements of the subdivision ordinance (chapter 16) are hereby modified. No request will be made to the county for school bus service until the streets have been made public as set forth herein.
 - 2. Grantee is required to belong to a property owner's association for the maintenance of the private streets within a subdivision, and is liable for payment of an annual assessment for the upkeep and maintenance of said private streets.
 - 3. In lieu of the property owner's association, provided above, such deed shall contain a provision for payment of a fixed annual assessment to the developer or a third party for maintenance of said streets and in default thereof by developer or third party, the property owners shall take over such street maintenance and shall be empowered with the rights of the developer or third party to make a fixed annual assessment.
 - 4. The annual assessment aforesaid shall constitute a lien on said property.

17-305.08. Private Street Standards.

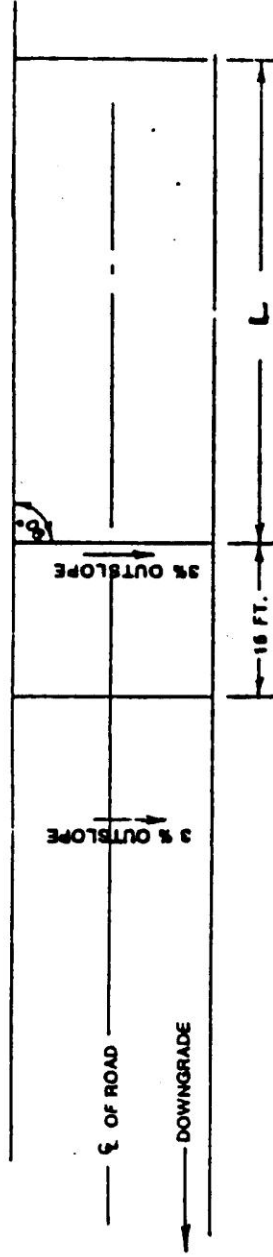
In a proposed residential estates development, the following standards for streets and for plans and bonding shall be required. As a minimum, streets shall be constructed as a single lane with twelve feet wide roadbed, crowned with ditches and culvert pipes, or outsloped with dips. Provision shall be made for ten (10) feet by fifty (50) feet turnouts at one thousand (1,000) maximum spacing, and extra width curve widening for tri-axle trucks. The standards in Table 17-305.08. shall be followed:

Table 17-305.08. Private street standards.

Road Grade (% of Slope)	Roadbed, Type, and Drainage	Surfacing
0 to 5%	Crowned (three (3) percent) with side ditch and culvert pipes spaced at two hundred (200) foot maximum, or outsloped (three (3) percent) with dips spaced at one hundred fifty (150) foot maximum.	The need for crushed aggregate is to be determined and based on traffic volume, use season, soil type, and safety.
5 to 10%	Crowned with (three (3) percent) side ditch and culvert pipes spaced at one hundred fifty (150) foot maximum, or outsloped (three (3) percent) with dips spaced at one hundred fifty (150) foot maximum.	The need for crushed aggregate is to be determined and based on traffic volume, use season, soil type and safety.
10 to 15%	Crowned (three (3) percent) with side ditch and culvert pipes spaced at one hundred forty (140) foot maximum.	Crushed aggregate or pit run aggregate.
15 to 20%	Crowned (three (3) percent) with side ditch and culvert pipe spaced at one hundred thirty (130) foot maximum.	Crushed aggregate.
Above 20%	Crowned (three (3) percent) with erosion control stone lined side ditch and culvert pipe spaced at one hundred twenty (120) foot maximum.	Asphalt pavement or asphalt surface treatment (chip and seal).

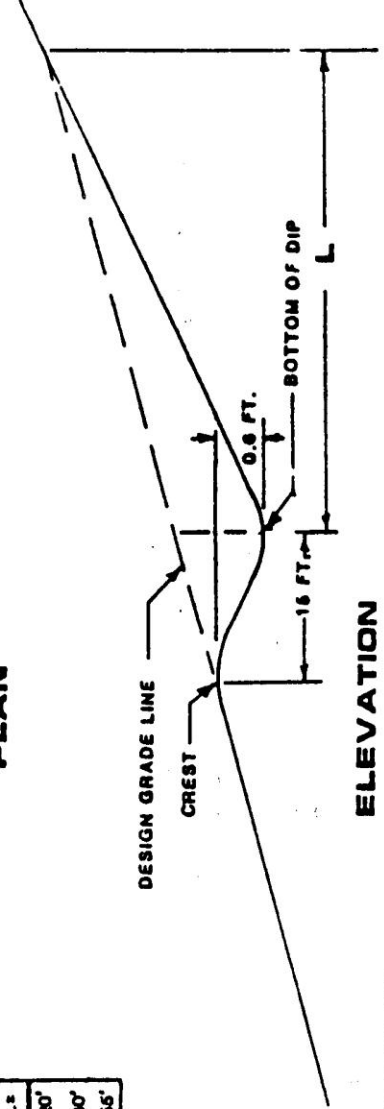
17-305.09. Public Street Standards.

Should an RR-1 subdivision be intended to have public streets, the streets shall be constructed, at no cost to the county or the Virginia Department of Transportation, in accordance with the current subdivision street requirements, as amended from time to time, of the Virginia Department of Transportation with the exception of minimum right-of-way width which shall be in all instances a minimum of fifty (50) feet in width. To the extent that such roads shall meet the requirements of the Virginia Department of Transportation, the requirements of the subdivision ordinance (chapter 16) are hereby modified.



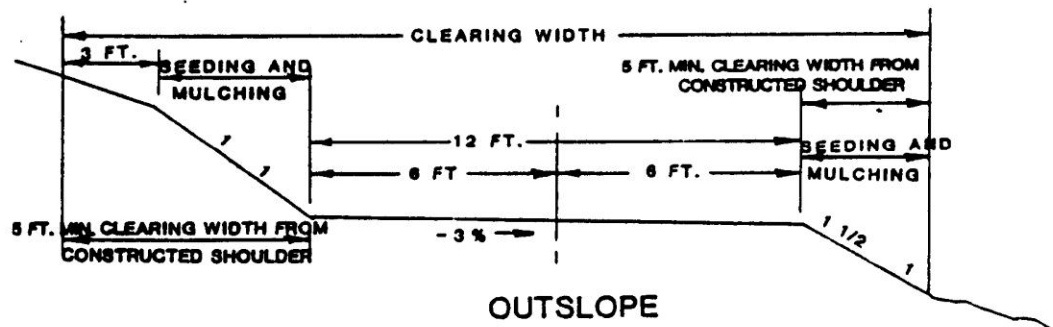
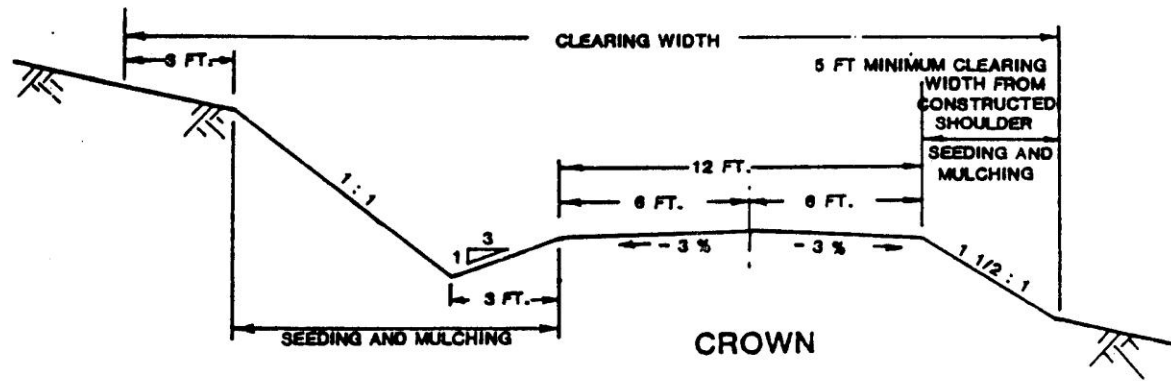
% GRADE	L:
10%	120'
8%	80'
8% OR LESS	65'

PLAN



ELEVATION

DIP LOCATIONS ON THE PLANS ARE APPROXIMATE ONLY AND ARE SUBJECT TO ADJUSTMENT DURING CONSTRUCTION TO MEET FIELD CONDITIONS.



17-305.10. Plans and Bonding.

Prior to approval of the final plat, plans shall be submitted for drainage, street, and any other improvements. After approval of the final plat, no lot, land, or unit may be sold or conveyed until the applicant furnishes a bond in accordance with county bonding policy. The costs of drainage, private street, and any other improvements, as shown in the plans and specifications, shall be calculated by a professional engineer licensed to practice in Virginia and in an amount acceptable to the County. Upon certification by a professional engineer that the improvements have been completed in accordance with standards of the County, the bond may be released by the subdivision agent.

17-305.11. Resubdivision.

In an existing RR-1 zoned subdivision, resubdivision may be permitted with a minimum lot size of two and one-half (2½) acres, provided a written agreement among all the owners of lots shown on the plat of the subdivision for the resubdivision has been submitted to the Zoning Administrator. If the agreement of all owners cannot be achieved, an ordinance for resubdivision may be heard before and considered for adoption by the Board of Supervisors. Such ordinance shall not be adopted until after notice has been given as required by the Code of Virginia. Appeals from adoption shall adhere to the Code of Virginia. The requirements of Chapter 16, Subdivision Ordinance, are hereby modified to the extent that resubdivision in an RR-1 district shall meet the provisions of this paragraph.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-306. LOW-DENSITY RESIDENTIAL DISTRICT (R-1).

- Sec. 17-306.00. Definition.**
- Sec. 17-306.01. Requirements.**
- Sec. 17-306.02. District Status.**
- Sec. 17-306.03. Water and Sewer.**
- Sec. 17-306.04. Utilities.**
- Sec. 17-306.05. Common Area.**
- Sec. 17-306.06. Permitted Uses.**
- Sec. 17-306.07. Special Uses.**
- Sec. 17-306.08. Accessory Uses.**
- Sec. 17-306.09. Standards.**
- Sec. 17-306.10. General Development Plan.**
- Sec. 17-306.11. Cluster Development.**

17-306.00. Definition.

The R-1 district shall be composed of existing areas zoned R-1.

17-306.01. Requirements.

The R-1 district shall provide residential development alternatives, including neighborhood amenities and clustered development.

17-306.02. District Status.

Land zoned R-1 prior to the adoption of this ordinance shall comply with Section 17-306. No additional land shall be rezoned to R-1 after [DATE OF ADOPTION].

17-306.03. Water and Sewer.

- A. All R-1 districts located within urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County shall be served by public water and public sewer.
- B. All R-1 districts lying outside of urban growth areas may be served by a private water supply and/or a private sewage treatment system where public water and/or public sewer is not available. The private sewage treatment system shall be fully contained on the lot it serves.

17-306.04. Utilities.

All R-1 districts located within urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County shall require underground installation of utilities wherever possible, subject to the standards and regulations of the controlling utility company or agency. At no time shall any structure or landscaping be placed within any utility easement.

17-306.05. Common Area.

If provided, Common area shall be subject to Article 7, Development Standards.

17-306.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Education
School

Health Services or Facilities
Daycare home or center, adult
Residential facility

Public and Quasi-Public Uses
Community garden

Recreation or Amusement

Community center
Park
Swimming, tennis facility, public or private

Residential Uses

Dwelling, single-family detached
Dwelling, single-family detached with independent living quarters

17-306.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Education

Daycare home, child

Facilities and Utilities

Electrical substation
Sewage pumping station
Water pumping station
Water storage tank, private
Water storage tank, public
Wind energy system, small-scale
Wireless telecommunications facility, stealth

Public and Quasi-Public Uses

Cemetery
Church or other place of worship

17-306.08. Accessory Uses.

Where an area is devoted to a permitted use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Education

Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

Service or maintenance area
Utility building

Residential Businesses

Home occupation

Residential Uses

Temporary family healthcare structure
Swimming pool, accessory to a dwelling

Temporary Uses

Temporary construction-related building or trailer
Temporary sales building or trailer
Yard sales

17-306.09. Standards

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-306.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

17-306.11. Cluster Development.

Properties zoned R-1 at the time of the adoption of this ordinance may develop a cluster development provided the following conditions are met:

- A. Clustered single-family residential housing shall be developed following regulations set forth in Article 8, Area, Setback, and Height, for the Planned Single Family Residential district.
- B. At least thirty-five percent (35%) of the development is set aside as common area.
- C. Community property, including all common area and all non-recreational open space, shall be deeded to a Property Owners Association, who shall retain neither subdivision rights nor development rights.
- D. Until community property has been deeded to the Property Owners Association, all responsibility for maintenance of community property shall fall to the developer.
- E. The site shall be developed using low impact development techniques, including, but not limited to, encouraging contour development and limiting mass grading.

- F. The single-family residential houses shall be arranged in a cluster development as presented by the Virginia Chapter of the American Planning Association (APA-VA) in the most current edition of "Managing Growth and Development in Virginia: A Review of the Tools Available to Localities."
- G. Density of the cluster development shall not exceed the maximum of the district.
- H. Pipe-stem lots shall be allowed in cluster developments.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-307. MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2).

- Sec. 17-307.00. Definition.**
- Sec. 17-307.01. Requirements.**
- Sec. 17-307.02. District Status.**
- Sec. 17-307.03. Water and Sewer.**
- Sec. 17-307.04. Utilities.**
- Sec. 17-307.05. Common Area.**
- Sec. 17-307.06. Permitted Uses.**
- Sec. 17-307.07. Special Uses.**
- Sec. 17-307.08. Accessory Uses.**
- Sec. 17-307.09. Standards**
- Sec. 17-307.10. General Development Plan.**
- Sec. 17-307.11. Cluster Development.**

17-307.00. Definition.

The R-2 district is composed of existing areas zoned R-2.

17-307.01. Requirements.

The R-2 provides residential development alternatives, including neighborhood amenities and clustered development.

17-307.02. District Status.

Land zoned R-2 prior to the adoption of this ordinance shall comply with Section 17-307. No additional land shall be rezoned to R-2 after [DATE OF ADOPTION].

17-307.03. Water and Sewer.

- A. All R-2 districts located within urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County shall be served by public water and public sewer.
- B. All R-2 districts lying outside of urban growth areas may be served by a private water supply and/or a private sewage treatment system where public water and/or public sewer is not available. The private sewage treatment system shall be fully contained on the lot it serves.

17-307.04. Utilities.

All R-2 districts located within urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County shall require underground installation of utilities wherever possible, subject to the standards and regulations of the controlling utility company or agency. At no time shall any structure or landscaping be placed within any utility easement.

17-307.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-307.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Education

- School

Health Services or Facilities

- Daycare home or center, adult
- Residential facility

Public and Quasi-Public Uses

- Community garden

Recreation or Amusement

- Community center
- Park
- Swimming, tennis facility, public or private

Residential Uses

- Dwelling, duplex
- Dwelling, single-family detached
- Dwelling, single-family detached with independent living quarters

17-307.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with surrounding uses, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Education

- Daycare home, child

Facilities and Utilities

- Electrical substation
- Sewage pumping station
- Water pumping station
- Water storage tank, private
- Water storage tank, public
- Wind energy system, small-scale
- Wireless telecommunications facility, stealth

Public and Quasi-Public Uses

- Cemetery
- Church or other place of worship
- Heritage center
- Library
- Museum

17-307.08. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Education

- Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

- Service or maintenance area
- Utility building

Residential Businesses

- Home occupation

Residential Uses

- Temporary family healthcare structure
- Swimming pool, accessory to a dwelling

Temporary Uses

- Temporary construction-related building or trailer
- Temporary sales building or trailer
- Yard sales

17-307.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-307.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

17-307.11. Cluster Development.

Properties zoned R-2 at the time of the adoption of this ordinance may develop a cluster development provided the following conditions are met:

- A. Clustered single-family residential housing shall be developed following regulations set forth in Article 8, Area, Setback, and Height, for the Planned Single Family Residential district.
- B. At least thirty-five percent (35%) of the development is set aside as common area.
- C. Community property, including all common area and all non-recreational open space, shall be deeded to a Property Owners Association, who shall retain neither subdivision rights nor development rights.
- D. Until community property has been deeded to the Property Owners Association, all responsibility for maintenance of community property shall fall to the developer.
- E. The site shall be developed using low impact development techniques, including, but not limited to, encouraging contour development and limiting mass grading.
- F. The single-family residential houses shall be arranged in a cluster development as presented by the Virginia Chapter of the American Planning Association (APA-VA) in the most current edition of "Managing Growth and Development in Virginia: A Review of the Tools Available to Localities."
- G. Density of the cluster development shall not exceed the maximum of the district.

H. Pipe-stem lots shall be allowed in cluster developments.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-308. GENERAL RESIDENTIAL DISTRICT (R-3).

- Sec. 17-308.00. Definition.**
- Sec. 17-308.01. Requirements.**
- Sec. 17-308.02. District Status.**
- Sec. 17-308.03. Water and Sewer.**
- Sec. 17-308.04. Utilities.**
- Sec. 17-308.05. Common Area.**
- Sec. 17-308.06. Permitted Uses.**
- Sec. 17-308.07. Special Uses.**
- Sec. 17-308.08. Accessory Uses.**
- Sec. 17-308.09. Standards**
- Sec. 17-308.10. General Development Plan.**
- Sec. 17-308.11. Cluster Development.**

17-308.00. Definition.

The R-3 district is composed of existing areas zoned R-3.

17-308.01. Requirements.

- A. The R-3 district provides residential development alternatives, including neighborhood amenities and clustered development.
- B. While allowing for a variety of uses, the R-3 district is primarily residential. All nonresidential uses shall be compatible with the residential nature of the district.

17-308.02. District Status.

Land zoned R-3 prior to the adoption of this ordinance shall comply with Section 17-308. No additional land shall be rezoned to R-3 after [DATE OF ADOPTION].

17-308.03. Water and Sewer.

- A. All R-3 districts located within urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County shall be served by public water and public sewer.
- B. All R-3 districts lying outside of urban growth areas may be served by a private water supply and/or a private sewage treatment system where public water and/or public

sewer is not available. The private sewage treatment system shall be fully contained on the lot it serves.

17-308.04. Utilities.

All R-3 districts located within urban growth areas designated in the Comprehensive Plan or in any other area or corridor plan adopted by the County shall require underground installation of utilities wherever possible, subject to the standards and regulations of the controlling utility company or agency. At no time shall any structure or landscaping be placed within any utility easement.

17-308.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-308.06. Permitted Uses.

The following uses shall be permitted. Supplemental standards, as set forth in Article 6, apply as indicated therein.

Commercial Business and Services
Office

Commercial Retail
Pharmacy

Education
Daycare center, child
Daycare home, child
School

Health Services or Facilities
Daycare home or center, adult
Residential facility

Lodging
Rooming house

Public and Quasi-Public Uses
Art gallery
Church or other place of worship
Community garden
Heritage center
Library
Museum
Park-and-ride facility

Recreation or Amusement
Community center

Park
Swimming, tennis facility, public or private

Residential Uses

Dwelling, apartment
Dwelling, condominium
Dwelling, duplex
Dwelling, rowhouse
Dwelling, single-family detached
Dwelling, single-family detached with independent living quarters

17-308.07. Special Uses.

When, after a review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with surrounding uses, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental standards, applies as indicated therein.

Education

School

Facilities and Utilities

Electrical substation
Sewage pumping station
Water pumping station
Water storage tank, private
Water storage tank, public
Wind energy system, small-scale
Wireless telecommunications facility, stealth

Health Services or Facilities

Group home
Medical office or clinic
Nursing home
Rehabilitation facility

Public and Quasi-Public Uses

Cemetery
Public safety facility

17-308.08. Accessory Uses.

Where an area is devoted to a permitted primary use or approved special use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Education

Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

Service or maintenance area

Utility building

Residential Businesses

Home occupation

Residential Uses

Temporary family healthcare structure

Swimming pool, accessory to a dwelling

Temporary Uses

Temporary construction-related building or trailer

Temporary sales building or trailer

Yard sales

17-308.09. Standards

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-308.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

17-308.11. Cluster Development.

Properties zoned R-3 at the time of the adoption of this ordinance may develop a cluster development provided the following conditions are met:

- A. Clustered single-family residential housing shall be developed following regulations set forth in Article 8, Area, Setback, and Height, for the Planned Single Family Residential district.
- B. At least thirty-five percent (35%) of the development is set aside as common area.

- C. Community property, including all common area and all non-recreational open space, shall be deeded to a Property Owners Association, who shall retain neither subdivision rights nor development rights.
- D. Until community property has been deeded to the Property Owners Association, all responsibility for maintenance of community property shall fall to the developer.
- E. The site shall be developed using low impact development techniques, including, but not limited to, encouraging contour development and limiting mass grading.
- F. The single-family residential houses shall be arranged in a cluster development as presented by the Virginia Chapter of the American Planning Association (APA-VA) in the most current edition of "Managing Growth and Development in Virginia: A Review of the Tools Available to Localities."
- G. Density of the cluster development shall not exceed the maximum of the district.
- H. Pipe-stem lots shall be allowed in cluster developments.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-309. GENERAL BUSINESS DISTRICT (B-1).

- Sec. 17-309.00. Definition.**
- Sec. 17-309.01. Requirements.**
- Sec. 17-309.02. Minimum Area.**
- Sec. 17-309.03. Water and Sewer.**
- Sec. 17-309.04. Utilities.**
- Sec. 17-309.05. Common Area.**
- Sec. 17-309.06. Permitted Uses.**
- Sec. 17-309.07. Special Uses.**
- Sec. 17-309.08. Accessory Uses.**
- Sec. 17-309.09. Standards.**
- Sec. 17-309.10. General Development Plan.**

17-309.00. Definition.

The B-1 district provides a wide range of retail, wholesale, and service businesses to the public at convenient, concentrated locations within urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County.

17-309.01. Requirements.

- A. Sites shall be designed and built to ensure safe pedestrian and vehicular access internal to the site and to adjoining properties.
- B. Sites with adequate frontage and depth shall be provided to prevent sprawling strip commercial development and to permit controlled access to public streets.
- C. All lots shall have and be directly accessed by state road frontage.
- D. To maintain traffic safety and flow along the fronting public streets, interparcel access shall be provided.

17-309.02. Minimum Area.

B-1 district designation shall require no minimum acreage. Additions that form a logical extension of or adjoin an existing B-1 district shall require no minimum acreage.

17-309.03. Water and Sewer.

All B-1 districts shall be served by public water and public sewer.

17-309.04. Utilities.

All B-1 districts located within urban growth areas designated in the Comprehensive Plan or in any other area or corridor plan adopted by the County shall require underground installation of utilities wherever possible, subject to the standards and regulations of the controlling utility company or agency. At no time shall any structure or landscaping be placed within any utility easement.

17-309.06. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-309.07. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Animal hospital
- Buggy and harness shop, repair and sales
- Farm market
- Greenhouse, retail sales
- Greenhouse, wholesale sales
- Kennel operation, commercial
- Nursery operation, retail sales
- Nursery operation, wholesale sales

Commercial Business and Services

- Banks and other financial services
- Banquet facility or reception center
- Beauty or barber shop
- Cabinet, furniture, woodworking, upholstery shop
- Carpet and rug cleaning service, drop-off & pick-up facility
- Carpet and rug cleaning service, on-site cleaning
- Catering facility
- Funeral home, crematory
- General service business, not otherwise listed, 15,000 square feet or less
- General service business, not otherwise listed, over 15,000 square feet
- Housing management office
- Landscaping service
- Laundry, commercial or industrial
- Laundry, dry cleaning, laundromat
- Mail services
- Microbrewery
- Mini-storage
- Office
- Print and copy shop
- Radio or television station
- Rental establishment
- Restaurant
- Spa
- Tailor or seamstress shop
- Taxidermy
- Telework center

Commercial Retail

- Antique shop
- Convenience store
- Farm machinery and equipment center
- Flea market
- Machinery and equipment center, commercial and industrial
- Pharmacy
- Retail sales store, not otherwise listed, under 15,000 square feet
- Retail sales store, not otherwise listed, 15,000 square feet to 34,999 square feet
- Retail sales store, not otherwise listed, 35,000 square feet and over
- Sale of manufactured homes, campers, camper trailers, and recreational vehicles, exempt from enclosure
- Seed and feed store

Education

- College, university
- Daycare center, child
- School

Facilities and Utilities

- Water storage tank, private
- Water storage tank, public
- Health Services or Facilities
 - Hospice center
 - Hospital
 - Medical office or clinic
 - Nursing home
 - Rehabilitation facility
- Industry
 - Contractor's operation
- Laboratory
 - Research laboratory
 - Support laboratory
- Lodging
 - Hotel or motel
- Motor Vehicle-Related Uses
 - Automobile parts sales
 - Automobile repair shop
 - Automobile tow service
 - Car wash
 - Impound lot
 - Motor vehicle sales lot
 - Motorcycle repair and sales
 - Repair and sales facility, off-road vehicles
- Public and Quasi-Public Uses
 - Animal shelter
 - Art gallery
 - Assembly hall
 - Church or other place of worship
 - Conference center
 - Emergency and protective facility
 - Event center
 - Governmental services
 - Heritage center
 - Library
 - Museum
 - Park-and-ride facility
 - Parking facilities, publicly or privately operated
 - Public safety facility
- Recreation or Amusement
 - Bowling alley

Cineplex
Community center
Fitness center
Golf course
Golf driving range
Miniature golf course
Pool, billiards, amusement arcade facility
Shooting range, indoor
Sports or activity complex
Swimming, tennis facility, public or private
Theater

Residential Uses

Dwelling, live-work

Transportation

Bus or rail terminal

17-309.08. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Commercial Retail

Auction facility

Education

School, outdoor

Facilities and Utilities

Electrical substation
Sewage pumping station
Sewage treatment facility
Water pumping station
Water treatment facility
Wind energy system, small-scale
Wireless telecommunications facility
Wireless telecommunications facility, stealth

Health Services or Facilities

Substance abuse treatment facility

Industry

Molding operation

Stone and monument works

Public and Quasi-Public Uses

Cemetery

Memorial garden

Recreation or Amusement

Amphitheater

Temporary Uses

Seasonal or periodic events

Transportation

Cab service

Heliport, or flight strip, including flight instruction

17-309.09. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Education

Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

Service or maintenance area

Utility building

Industry

Warehouse

Residential Businesses

Home business

Home occupation

Temporary Uses

Temporary construction-related building or trailer

Temporary sales building or trailer

17-309.10. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-309.11. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-310. NEIGHBORHOOD BUSINESS DISTRICT (B-2).

- Sec. 17-310.00. Definition.**
- Sec. 17-310.01. Requirements.**
- Sec. 17-310.02. Minimum Area.**
- Sec. 17-310.03. Water and Sewer.**
- Sec. 17-310.04. Utilities.**
- Sec. 17-310.05. Common Area.**
- Sec. 17-310.06. Permitted Uses.**
- Sec. 17-310.07. Special Uses.**
- Sec. 17-310.08. Accessory Uses.**
- Sec. 17-310.09. Standards.**
- Sec. 17-310.10. General Development Plan.**

17-310.00. Definition.

The B-2 district provides small-scale commercial development designed and built to ensure safe pedestrian and vehicular access internal to the site and to adjoining properties.

17-310.01. Requirements.

- A. The B-2 district shall be located in urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County.
- B. The B-2 district shall be located at minor intersections or in proximity to residential neighborhoods.
- C. Scattered or strip development is not appropriate.
- D. Activities in this district shall not be characterized by heavy trucking.

17-310.02. Minimum Area.

B-2 district designation shall require no minimum acreage. Additions that adjoin or form a logical extension of an existing B-2 district shall require no minimum acreage.

17-310.03. Water and Sewer.

All B-2 districts shall be served by public water and public sewer.

17-310.04. Utilities.

All B-2 districts located within urban growth areas designated in the Comprehensive Plan or in any other area or corridor plan adopted by the County shall require underground installation of utilities wherever possible, subject to the standards and regulations of the controlling utility company or agency. At no time shall any structure or landscaping be placed within any utility easement.

17-310.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-310.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Animal hospital
- Buggy and harness shop, repair and sales
- Farm market
- Greenhouse, retail sales
- Nursery operation, retail sales

Commercial Business and Services

- Banks and other financial services
- Beauty or barber shop
- Cabinet, furniture, woodworking, upholstery shop
- Carpet and rug cleaning service, drop-off & pick-up facility
- Funeral home, crematory
- General service business, not otherwise listed, 15,000 square feet or less
- Housing management office
- Landscaping service
- Laundry, dry cleaning, laundromat
- Microbrewery
- Office
- Print and copy shop
- Radio or television station
- Rental establishment
- Restaurant

- Spa
- Tailor or seamstress shop
- Taxidermy
- Telework center
- Commercial Retail
 - Antique shop
 - Convenience store
 - Pharmacy
 - Retail sales store, not otherwise listed, under 15,000 square feet
- Education
 - College, university
 - Daycare center, child
 - School
- Facilities and Utilities
 - Water storage tank, private
- Health Services or Facilities
 - Group home
 - Medical office or clinic
 - Nursing home
 - Rehabilitation facility
- Lodging
 - Bed and breakfast inn
 - Country inn
- Motor Vehicle-Related Uses
 - Automobile parts sales
 - Automobile repair shop
 - Automobile tow service
 - Motor vehicle sales lot
- Public and Quasi-Public Uses
 - Art gallery
 - Assembly hall
 - Church or other place of worship
 - Emergency and protective facility
 - Event center
 - Governmental services
 - Heritage center
 - Library
 - Museum
 - Park-and-ride facility
 - Parking facilities, publicly or privately operated
 - Public safety facility

Recreation or Amusement

- Community center
- Fitness center
- Park
- Swimming, tennis facility, public or private
- Theater

Residential Uses

- Dwelling, live-work

Transportation

- Bus or rail terminal

17-310.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Commercial Business and Services

- General service business, not otherwise listed, over 15,000 square feet

Education

- School, outdoor

Facilities and Utilities

- Electrical substation
- Sewage pumping station
- Sewage treatment facility
- Water pumping station
- Water storage tank, public
- Water treatment facility
- Wind energy system, small-scale
- Wireless telecommunications facility
- Wireless telecommunications facility, stealth

Industry

- Molding operation

Lodging

- Hotel or motel

Motor Vehicle-Related Uses

- Car wash

Public and Quasi-Public Uses

- Cemetery
- Memorial garden

Recreation or Amusement

- Miniature golf course
- Sports or activity complex

Temporary Uses

- Portable storage unit

Transportation

- Heliport, or flight strip, including flight instruction

17-310.08. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Education

- Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

- Service or maintenance area
- Utility building

Residential Businesses

- Home business
- Home occupation

Temporary Uses

- Temporary construction-related building or trailer
- Temporary sales building or trailer

17-310.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-310.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application

and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.

- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-311. HEAVY INDUSTRIAL DISTRICT (I-1).

- Sec. 17-311.00. Definition.**
- Sec. 17-311.01. Requirements.**
- Sec. 17-311.02. Minimum Area.**
- Sec. 17-311.03. Water and Sewer.**
- Sec. 17-311.04. Utilities.**
- Sec. 17-311.05. Common Area.**
- Sec. 17-311.06. Permitted Uses.**
- Sec. 17-311.07. Special Uses.**
- Sec. 17-311.08. Accessory Uses.**
- Sec. 17-311.09. Standards.**
- Sec. 17-311.10. General Development Plan.**

17-311.00. Definition.

The I-1 district provides a wide range of industries at concentrated locations.

17-311.01. Requirements.

- A. The I-1 district shall be located within urban growth areas as designated in the Comprehensive Plan or in any area or corridor plan adopted by the County.
- B. The I-1 district is primarily oriented to primary roads, major intersections, interstate interchanges, and rail.
- C. Industrial uses shall have minimal public interaction.
- D. Sites with adequate frontage and depth shall be provided to prevent the scattering or stripping of industrial development and to permit controlled access to public streets.
- E. To maintain traffic safety and flow along the fronting public streets, interparcel access shall be provided.

17-311.02. Minimum Area.

I-1 district designation shall require no minimum acreage. Additions that form a logical extension of or adjoin an existing I-1 district shall require no minimum acreage.

17-311.03. Water and Sewer.

All I-1 districts shall be served by public water and public sewer.

17-310.04. Utilities.

No structure or landscaping shall be placed within any utility easement unless otherwise permitted by the controlling utility company or agency.

17-311.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-311.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Agricultural research facility
- Feed mill
- Greenhouse, wholesale sales
- Nursery operation, wholesale sales
- Poultry litter service or brokerage operation

Commercial Business and Services

- Carpet and rug cleaning service, on-site cleaning
- Electronic data storage or processing center
- Laundry, commercial or industrial
- Mail services
- Mini-storage
- Office
- Telework center

Commercial Retail

- Farm machinery and equipment center
- Machinery and equipment center, commercial and industrial

Facilities and Utilities

- Electrical substation
- Water storage tank, private
- Water storage tank, public

Industry

Biomass conversion facility
Bottling, manufacturing, cold storage, or processing of non-alcoholic beverages
and distribution plants
Brewery, distillery, winery, or associated activities
Contractor's operation
Distribution center
Equipment storage
Metal-working facility
Millwork operation
Printing ink manufacturing
Printing or reproduction establishment
Recycling center
Sawmill or lumber mill
Stone and monument works
Warehouse

Laboratory

Research laboratory
Support laboratory

Motor Vehicle-Related Uses

Automobile tow service
Recreational vehicle storage area
Repair and sales facility, off-road vehicles
Repair and sales facility, truck and semi-trailer
Truck wash

Public and Quasi-Public Uses

Governmental services
Parking facilities, publicly or privately operated
Public safety facility

Transportation

Airport
Heliport, or flight strip, including flight instruction
Rail siding
Railroad yard
Truck terminal

17-311.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Greenhouse, retail sales
- Livestock sales facility

Commercial Retail

- Auction facility
- Sale of manufactured homes, campers, camper trailers, and recreational vehicles, exempt from enclosure

Education

- College, university
- School
- School, outdoor

Facilities and Utilities

- Refuse collection and recycling center
- Sewage pumping station
- Sewage treatment facility
- Water pumping station
- Water treatment facility
- Wind energy system, small-scale
- Wireless telecommunications facility
- Wireless telecommunications facility, stealth

Industry

- Acid manufacturing or wholesale storage of acids
- Asphalt pavement mixing plant
- Batching plant for asphalt, concrete
- Cement, lime, or gypsum manufacturing
- Explosive, fireworks, or ammunition manufacturing or storage
- Fertilizer manufacturing
- Fuel products, bulk storage and sales
- Manufacturing use, not otherwise listed
- Meat processing facility
- Molding operation
- Quarry operation

Motor Vehicle-Related Uses

- Automobile graveyard

Public and Quasi-Public Uses

- Church or other place of worship

Recreation or Amusement

- Park

Temporary Uses

- Portable storage unit

Transportation
Travel center

17-311.08. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Commercial Retail
Company store

Education
Daycare center, child

Facilities and Utilities
Central energy plant
Utility building

Health Services or Facilities
Medical office or clinic

Recreation or Amusement
Fitness center

Residential Uses
Dwelling, in-house security service

Temporary Uses
Temporary construction-related building or trailer
Temporary sales building or trailer

17-311.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-311.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-312. LIMITED INDUSTRIAL DISTRICT (I-2).

- Sec. 17-312.00. Definition.**
- Sec. 17-312.01. Requirements.**
- Sec. 17-312.02. Minimum Area.**
- Sec. 17-312.03. Water and Sewer.**
- Sec. 17-312.04. Utilities.**
- Sec. 17-312.05. Common Area.**
- Sec. 17-312.06. Permitted Uses.**
- Sec. 17-312.07. Special Uses.**
- Sec. 17-312.08. Accessory Uses.**
- Sec. 17-312.09. Standards.**
- Sec. 17-312.10. General Development Plan.**

17-312.00. Definition.

The I-2 district encourages active centers of employment by permitting certain small-scale industries, offices, and commercial uses.

17-312.01. Requirements.

- A. The I-2 district shall be located in urban growth areas designated in the Comprehensive Plan or in any area or corridor plan adopted by the County.
- B. Sites with adequate frontage and depth shall be provided to prevent the scattering or stripping of industrial development and to permit controlled access to public streets.
- C. To maintain traffic safety and flow along the fronting public streets, interparcel access shall be provided.

17-312.02. Minimum Area.

I-2 district designation shall require no minimum acreage. Additions that form a logical extension of or adjoin an existing I-2 district shall require no minimum acreage.

17-312.03. Water and Sewer.

All I-2 districts shall be served by public water and public sewer.

17-312.04. Utilities.

No structure or landscaping shall be placed within any utility easement unless otherwise permitted by the controlling utility company or agency.

17-312.05. Common Area.

If provided, common area shall be subject to Article 7, Development Standards.

17-312.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

- Agricultural research facility
- Greenhouse, wholesale sales
- Nursery operation, retail sales
- Nursery operation, wholesale sales

Commercial Business and Services

- Banks and other financial services
- Carpet and rug cleaning service, on-site cleaning
- Electronic data storage or processing center
- Landscaping service
- Laundry, commercial or industrial
- Mail services
- Mini-storage
- Office
- Rental establishment
- Restaurant
- Taxidermy
- Telework center

Commercial Retail

- Convenience store
- Farm machinery and equipment center
- Machinery and equipment center, commercial and industrial
- Sale of manufactured homes, campers, camper trailers, and recreational vehicles, exempt from enclosure
- Seed and feed store

Education

- Daycare center, child

Facilities and Utilities

- Electrical substation
- Water storage tank, private
- Water storage tank, public

Industry

- Brewery, distillery, winery, or associated activities
- Contractor's operation
- Distribution center
- Equipment storage
- Metal-working facility
- Millwork operation
- Printing ink manufacturing
- Recycling center
- Sawmill or lumber mill
- Warehouse

Laboratory

- Research laboratory
- Support laboratory

Motor Vehicle-Related Uses

- Automobile repair shop
- Automobile tow service
- Impound lot
- Recreational vehicle storage area
- Repair and sales facility, truck and semi-trailer
- Truck wash

Public and Quasi-Public Uses

- Governmental services
- Park-and-ride facility
- Parking facilities, publicly or privately operated
- Public safety facility

Transportation

- Airport
- Cab service
- Heliport, or flight strip, including flight instruction
- Rail siding
- Railroad yard
- Truck terminal

17-312.07. Special Uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Agriculture-Related Businesses

Greenhouse, retail sales

Commercial Business and Services

General service business, not otherwise listed, 15,000 square feet or less

General service business, not otherwise listed, over 15,000 square feet

Commercial Retail

Auction facility

Education

College, university

School

School, outdoor

Facilities and Utilities

Sewage pumping station

Sewage treatment facility

Water pumping station

Water treatment facility

Wind energy system, small-scale

Wireless telecommunications facility

Wireless telecommunications facility, stealth

Industry

Bottling, manufacturing, cold storage, or processing of non-alcoholic beverages and distribution plants

Brewery, distillery, winery, or associated activities

Explosive, fireworks, or ammunition manufacturing or storage

Fertilizer manufacturing

Fuel products, bulk storage and sales

Manufacturing use, not otherwise listed

Printing or reproduction establishment

Quarry operation

Recycling center

Stone and monument works

Motor Vehicle-Related Uses

Automobile parts sales

Repair and sales facility, off-road vehicles

Public and Quasi-Public Uses

Church or other place of worship

Recreation or Amusement

Park

Temporary Uses

Portable storage unit

Transportation

Travel center

17-312.08. Accessory Uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental Standards, applies as indicated therein.

Accessory structure

Commercial Retail

Company store

Education

Mobile classrooms adjunct to school and church or other place of worship

Facilities and Utilities

Central energy plant

Service or maintenance area

Utility building

Health Services or Facilities

Medical office or clinic

Recreation or Amusement

Fitness center

Residential Uses

Dwelling, in-house security service

Temporary Uses

Temporary construction-related building or trailer

Temporary sales building or trailer

17-312.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-312.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.

- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.

CHAPTER 17. ZONING.

ARTICLE 3. CONVENTIONAL DISTRICTS.

SECTION 17-313. PUBLIC SERVICE DISTRICT (S-1).

- Sec. 17-313.00. Definition.**
- Sec. 17-313.01. Requirements.**
- Sec. 17-313.02. Minimum Area.**
- Sec. 17-313.04. Water and Sewer.**
- Sec. 17-313.05. Utilities.**
- Sec. 17-313.06. Common Area.**
- Sec. 17-313.07. Permitted Uses.**
- Sec. 17-313.08. Special Uses.**
- Sec. 17-313.09. Accessory Uses.**
- Sec. 17-313.10. Standards.**
- Sec. 17-313.11. General Development Plan.**

17-313.00. Definition.

This district provides areas for the location of certain types of public service facilities in support of development. These facilities shall be buffered from dissimilar land uses.

17-313.01. Requirements.

The S-1 district shall impose no additional requirements.

17-313.02. Minimum Area.

S-1 district designation shall require no minimum acreage. Additions that form a logical extension of or adjoin an existing S-1 district shall require no minimum acreage.

17-313.03. Water and Sewer.

All S-1 districts shall be served by public water and public sewer or by a private water supply and/or a private sewage treatment system. The private sewage treatment system shall be fully contained on the lot it serves.

17-313.04. Utilities.

No structure or landscaping shall be placed within any utility easement unless otherwise permitted by the controlling utility company or agency.

17-313.05. Common Area.

No common area shall be required in the S-1 district.

17-313.06. Permitted Uses.

The following uses shall be permitted. Article 6, Supplemental Standards, applies as indicated therein.

Facilities and Utilities

- Electrical substation
- Refuse collection and recycling center
- Sanitary landfill
- Service or maintenance area
- Sewage pumping station
- Sewage treatment facility
- Water pumping station
- Water storage tank, public
- Water treatment facility
- Wind energy system, small-scale

Public and Quasi-Public Uses

- Correctional facility

17-313.07. Special uses.

When, after review of an application and hearing thereon, in accordance with Article 10, Procedures, the Board of Supervisors finds as a fact that the proposed use is compatible with the surrounding uses and the Comprehensive Plan, is not detrimental to the character of adjacent land, is consistent with the intent of this chapter, and is in the public interest, the following uses may be permitted with a special use permit. Article 6, Supplemental Standards, applies as indicated therein.

Facilities and Utilities

- Wind energy system, large-scale
- Wireless telecommunications facility
- Wireless telecommunications facility, stealth

Public and Quasi-Public Uses

- Public safety facility

17-313.08. Accessory uses.

Where an area is devoted to a permitted principal use, customary accessory uses and structures are authorized, including, but not limited to, the following. Article 6, Supplemental standards, applies as indicated therein.

Accessory structure

Temporary Uses

Temporary construction-related building or trailer

17-313.09. Standards.

See Article 6, Supplementary Standards; Article 7, Development Standards; and Article 8, Area and Bulk Standards.

17-310.10. General Development Plan.

- A. Any demonstrative materials submitted with a rezoning application or a special use permit application shall become part of the record of the hearing on the application and become legally binding elements of the amendment to the zoning ordinance and map or of the special use permit.
- B. All rezoning or special use permit application materials shall be submitted prior to the Board of Supervisors' public hearing.